

bringing him six arrows, he gave two of them to *Walter*; who kept close by him all the afternoon. They were alone towards sun set: and the king had alighted to wait the coming up of his company that were assigned their several stations¹, and dispersed up and down the *Forest*; when a stag passing by the king, he shot at him, gave him a slight wound, and quitting his stand, followed the deer, to see if it would drop; holding up his hand before his eyes to guard them from the sun, which chanced to shine full in his face, and too intent to mind any other object. In the mean time another stag passing by, *Walter* shot at it; and whether the arrow grazed on its back, or on a tree, or not, it struck the king so full in the breast, that without speaking a word he dropped down dead immediately: upon which *Tyrrel* galloped away to the sea-side, unheeded, in the confusion occasioned by the king's death; and getting over into *Normandie*, died afterwards in his way to *Jerusalem*; a journey perhaps undertaken to expiate this accidental slaughter. *William's* corpse being found by some country people, as they were passing through the *Forest*, was laid cross an horse and carried to *Winchester*; where it was buried the next day in the cathedral under the tower, without the distribution of any alms, or the tolling of a bell, and with as little respect as ceremony; few lamenting his death, and scarce any of his courtiers attending the funeral.

WILLIAM was of a middle stature², but strong and well set; his face red, and his hair yellow; his visage stern and haughty: hasty of speech and stammering in his anger, loquacious, boasting, and passionate; utterly illiterate, and without any elocution; yet did not want a pleasant turn of wit and humour in conversation. He affected magnificence³ in his retinue and buildings; was proud and imperious; eager and persevering in whatever he undertook, whether good or ill; bold and warlike; profuse rather than liberal; fond of the number of his forces, and lavish in his donatives to the soldiers that he kept in his service, to the great oppression of the *English*; among whom they were quartered, living at discretion, without any discipline, and plundering as they pleased. It was not so much avarice, as his profuseness to military men, that was the source of his rapine: and put him upon the grievous exactions he laid on his subjects; for whom he had no tenderness; being cruel in his nature, never sparing any body that gave him an offence; wilful, and not caring whom he sacrificed to his humour. He hated the *English*, though he owed his crown to their zeal and fidelity, when the *Norman* lords would have turned him out to make way for his elder brother; and imprisoned at once fifty of the old *English* gentry⁴, who had still some riches left, under a false pretence of their killing and eating his deer: nor did his fury against them cease, when they were acquitted by the *fire ordeal*. *Malmesbury* represents him as one that regarded neither God nor man, and though his usage of the clergy, and seizing the revenues of vacant sees and abbeys, may have provoked the monkish writers to lay more load on his memory, than he deserved: yet it is not easy to suppose a very serious sense of religion in a man who was guilty of continual breaches of his faith in treaties, and lived in a constant habitual practice of lewdness, with a multitude of strumpets⁵, too mean to be taken notice of by historians. He was ever an utter enemy to marriage: and died on *Thursday*, ⁶*August* 2, *A. D.* 1100, without any legitimate issue; after having reigned near thirteen years, and lived about forty.

WILLIAM
RUFUS.
A. D. 1100.

¹ *Petr. Blesens. Continuatio Ingulfs.* ² *Malmesb.* l. iv. *Rob. Gloucester*, 414. ³ *Ord. Vit.* p. 680. ⁴ *Eadmer*, p. 48. ⁵ *Ord. Vit.* p. 763. ⁶ *Ib. Annal. Margan. Gemet.* l. viii. c. 9.

H E N R Y I.

HENRY I. XLVII.

A. D. 1100.

Henry seizes
the throne of
England.

ROBERT duke of *Normandie* was undoubtedly the true heir of the dominions of his deceased brother, as well by the natural right of primogeniture, as by the stipulations between them, expressed in the articles of peace; which put an end to their dispute for the crown of *England*, and the observance whereof was secured by the oaths of twelve of the principal nobility adhering to each party, and of both the countries here mentioned. This prince had been engaged some years before in the great *Croisade* for the recovery of the *Holy Land*: and had, upon the taking of *Jerusalem*, been offered the crown of *Palestine* by the unanimous suffrages of all the princes, his fellow-adventurers in that expedition, as the person, who had by his valour and conduct contributed most to its success, and was best able to maintain or improve their conquests. The ends of his religious vow being answered by the taking of that mother city of the *Christian* world, he resolved to return to his own country: and after refusing a crown which he had merited by his great actions, lost another, to which he had a natural claim, by the slowness of his return. It was now somewhat more than a year since *Jerusalem* had been taken; and yet he was not come back to *Normandie*; having stopped in *Apulia*, to court and marry *Sibylle*, daughter of *William* count of *Conversana*, a lady of great beauty and merit, but whose fortune was soon spent among his followers. Had *Robert* been in *Normandie* when his brother died, he would, in all probability, have had no competitor for the crown of *England*; at a time when the great glory he had acquired, filled every body's mouth with his praises: especially considering the clearness of his title to it, and the interest which bound all the great *Normans* to support it, who had estates in both countries. There was indeed a current report that he was on the way home, and was continually expected in *Normandie*: but his absence encouraging his younger brother *Henry* to aspire to the crown, this report only served to quicken the young prince in the execution of the measures necessary to get it into his possession.

HENRY ¹ was hunting in the *New Forest*, when he heard the news of his brother *William's* death: and resolving to make a push for the throne, went immediately to the castle of *Winchester*, to demand the keys of the royal treasury, which the guards made some difficulty in delivering. They were in the custody of *William de Breteuil* (the eldest son of *William Fitz Osbern*, formerly earl of *Hereford*) who was likewise in another quarter of the *Forest*; when being surprized with an account of the king's death, he made all possible haste home to take care of his charge: and arriving in the middle of the dispute, told the young prince, that neither the treasure nor the sceptre of *England* belonged to him, but to his elder brother *Robert*, to whom he and others of the chief nobility had already done homage. High words arose, and blows were likely to follow; when *Robert* count of *Meulan*, with a great number of the late king's attendants, coming in, took the part of the prince present: and forced *William* to leave him master of the treasure; with which they hoped perhaps to be rewarded for their service. *Henry* seems to have thought himself at the same time master of the kingdom ²; at least he now began to exercise the royalty, by giving the ring and pastoral staff of the see of *Winchester* to *William Giffard*, the late king's chancellor: and then set out for *London* with the count of

2

¹ *Ord. Vit.* p. 781, 782.² *Chron. Sax.* *Annal. Waverl.* *Al. Paris.**Meulan*,

Meulant, and such of the nobility about court, as had not retired to their castles. HENRY I. A. D. 1100. Every moment was precious, and might bring an account of *Robert's* arrival, as sudden as the accident of *William's* death: and being more concerned to have his person hallowed by the rite of unction, which would naturally engage the clergy and people on his side, than to make an useless shew of magnificence in the solemnity of his coronation¹, he got himself crowned by *Maurice*, bishop of *London*, in *Westminster* abbey, on *Sunday* the 5th of *August*, within about sixty six hours after the decease of *Rufus*. The ceremonial and form of divine service, used at his coronation, written in an hand as ancient as the time, is still preserved² in the *Cotton* library, bound in the same volume with that of *Ethelred's*, with which it intirely agrees; only *Henry* took an oath to observe, what that *Saxon* prince gave his bare word to perform.

XLVIII. THIS oath containing the very same articles, expressed in the same words, as that of his father *William the Conqueror* beforementioned, it is very plain, that it was not the same with that which *Eadmer* mentions, as taken on the day of his coronation, to observe³ the contents of a charter, which *Henry* passed on that day, and sealed copies enough thereof to publish it all over the kingdom, and to be afterwards lodged in the principal abbeys of each county. This last seems designed to explain more particularly his good intentions; which in the coronation-oath were couched only in general terms; the efficacy and credit whereof were much sunk in the opinion of the world, by the little regard which his two predecessors had shewn to the same oath, in the course of their administration. This neglect rendered it necessary to do something more for the satisfaction of the nation; and to specify some of the grievances, which all orders of men had suffered in the two last reigns, and which the new king would take particular care to redress. Thus *Rufus*, having by *Flambard* and his other agents sold bishopricks and abbeys to the highest bidder, let them to farm, and seized all their demesnes and revenues during a vacancy, which brought in great sums of money to the exchequer, *Henry* promised expressly, that he would do nothing of this nature: but would assign the profits of vacancies to the next successor, maintain the church in all its liberties, and redress all evil customs; some whereof he particularly mentions, and which appear to have been introduced since the conquest; no complaints being made by the monkish writers of any before that revolution. The *Conqueror*, establishing in this country the feudal law as practised in *France* and *Normandie*, had taken exorbitant sums on the death of his immediate tenants, for giving heirs livery of their lands, and for licenses of marrying as well in respect of their daughters and near relations, as of their widows; in which points, as also in the wardship of orphans, and custody of their lands, that law gave the crown an unlimited power. To redress these hardships, which chiefly affected the *Norman* barons, the charter provides, that only a fair and reasonable relief shall be taken of heirs: and to extend the benefit thereof to what remained of the *English* gentry, the like provision was made in favour of the vassals or tenants of those barons. Widows were indulged the liberty of marrying whom they pleased: and all the vassals of the crown might dispose of their daughters, wives, or next relations to what husbands they thought fit, except to the king's enemy. Nor was any thing to be paid for the licenses usually granted in such cases: if the heiress was left an orphan, the advice of the barons was to be taken for her marriage; the wardship of minors, and custody of their lands was to be left to the mother, or nearest relations, and all the vassals of

His measures
to secure it.

¹ *Cron. Sax. Flor. Wig. Rossen.* c. 34.

² *Claudius*, A. iii. N^o. 4.

³ P. 55. *M. Paris. Textus*

HENRY I. the immediate tenants of the crown were likewise to enjoy the benefit of these relaxations of the rigour of the feudal tenures. It had been granted by a law of the *Conqueror*¹, that all freeholders should enjoy their lands in peace, free from all talliages and unjust exactions: but he had himself broke through this privilege in some instances, and it had been invaded all the time of *Rufus*; which had occasioned continual complaints, and horrible oppressions; this may therefore well be supposed one of those evil customs now to be removed, though not particularly mentioned in the charter. *Moneyage* was a duty² of twelve pence paid every third year in *Normandie* to the duke, for not altering the coin, by every householder, except by the clergy, church-tenants, gentlemen with their wives and children, poor widows, and some other privileged persons. It was unknown here in the *Confessor's* days: but having been brought in by the conquest, had probably been raised upon all persons without distinction, since none could plead a privilege of exemption; which could not fail of raising a clamour, that now occasioned its being suppressed. The numberless prosecutions, with which *Ralf Flambard* harassed all sorts of persons, had produced an infinite number of fines, mulcts, and debts in the exchequer: these were remitted for the ease of the sufferers, as were also all past compositions for liveries and reliefs. The barons and vassals were now empowered to dispose of their personal estates by will; which looks as if they could not do it before without license: and if they died intestate, their goods and chattels were to be divided among their wives, children, and relations.

IN the two foregoing reigns, if any baron or vassal of the crown forfeited for any felony, or misdemeanor, he was obliged to give security of all his goods and moveables to answer the forfeiture: but it was now provided, he should give only such as was proportionable to the nature of the offence. All murders before the day of his coronation were pardoned; and for such as should be committed afterwards, they were³ to be punished by the ordinary fine fixed in the laws of the *Confessor*: but by the advice of his barons, the king still retained his forests, with the laws incident to them, as they stood in the time of his father. The demesnes or lands of the military tenants of the crown, kept in their own hands, were to be, for the future, exempt from all gelds, talliages, and benevolences: but in consideration of their being eased of this grievance, they were to be always ready with their horses and arms to defend the realm, and march in his service. The charter further requires a firm peace to be kept all over the nation, and re-establisheth the law of *St. Edward*, as it had been amended by the *Conqueror*, with the advice of his barons: and as evil-minded persons usually took advantage of the demise of a king to commit rapines and depredations, they were required to make restitution immediately; with assurance of having no mulct laid upon them, if they did so; and of being severely fined, in case of a neglect, upon their conviction.

SUCH were the contents of this famous charter of *Henry I*; which was attested by *Maurice* and *Girard*, bishops of⁴ *London* and *Hereford*, *William* elect of *Winchester*, and his brother *Walter Giffard* earl of *Buckingham*, *Henry de Newbourg* earl of *Warwick*, by whose interest chiefly he had got the crown, *Simon de Senlis* earl of *Huntingdon* and *Northampton*, *Robert de Montford*, *Roger Bigod*, and several others. *Henry* was too impatient to get possession of the crown, to make a difficulty in promising any thing that was proposed to him, but whether he kept his word in all these points afterwards, may well be questioned, since he kept the see of *Durham* vacant for five years⁵ after *Ralf Flambard's* death, and during all that

¹ L. iv. ² *Customes de Normandie. Ed. Paris, 1586. Art. 76, 77.*

⁴ *Mat. West.* l. v.

⁵ *Sim. Dun. H. E. Contin. c. 1.*

³ *LL. W. Conq. l. v.*

time had the profits of the fee collected by two barons, to his own use: and we find in *Glanvil's* ¹ time, all the goods and chattels of intestates belonged to the king or immediate lord; and as to those of usurers, whom it was not customary to question or convict on that account, whilst living, the king had their personal, and the lord their real estate. We see likewise, that the arbitrary rating of reliefs continued to be a grievance till *Magna Charta*: and the grants, as well of the wardship of minors, as of the custody of their lands, were for many ages after that time a constant subject of complaint. However it proved in the event, *Henry*, to shew his resolution of abolishing all evil customs and exactions, let his vengeance fall upon the principal author of them, *Ralf Flambard* bishop of *Durham*², whom he imprisoned in the tower of *London*; allowing him, according to reason, and the custom of the crown, in the case of state prisoners, two shillings a day for his subsistence there; a large sum in those days, and suitable to the rank and dignity of the prisoner. He could not have taken a step more agreeable to all the people of *England*, to whom *Ralf* had by his oppressions rendered himself infinitely odious. To gratify the citizens of *London* in particular, whose favour was very serviceable to him in obtaining the crown, *Henry* granted them a charter; still preserved under seal in the archives of *Guildhall* (recited by *Inspeximus*, and confirmed by the charters of several succeeding kings, particularly in that of *Charles II.*) and published by Sir *Roger Twysden*, in his additions to *Lambard's Archaionomia*. By this charter he granted "them and their heirs the farm of *Middlesex* at three hundred pounds a year, and the power of choosing out of their own body whom they pleased, as well for sheriff as for their justiciary, to hold pleas of the crown within the walls of the city; all other justiciaries being expressly inhibited from exercising their authority upon the citizens, or forcing them to plead out of the walls of the city, in any case whatsoever. The citizens were exempted from *scot*, *dane-geld*, trials by combat, lodging the king's retinue, and the pecuniary mulcts for murder, to which other towns as well as hundreds were subject: and both they and their goods were declared free from *toll*, *passage*, *lastage*, and all other customs throughout *England*. No *Londoner* was to be fined or amerced beyond his *Were*, which was an hundred shillings; and as to money matters, the citizens might recover their debts by suits within the city, and make good their titles to land by the city customs. The privileges of their court of *Husting*, which sat every *Monday*, of their *Wardmotes* and *Common-Halls*, were also confirmed, as well as their ancient right of hunting in *Middlesex*, *Surrey*, and the woodlands on the edge of *Bucks* and *Hertfordshire*, called the *Chiltern*."

THESE charters were not more agreeable to the persons for whose benefit or satisfaction they were designed, than another step, which *Henry* took at the same time, was to the ruling and most popular part of the clergy. There were very few *Benedictine* monks in this kingdom before the conquest: but *William the Conqueror* professing a great regard to the monastic institution, and the *Normans* in general running into the same taste with so much zeal, that there were more abbeys founded in their country in that age, than there were in several ages before or after, abundance of monasteries of that order had been lately founded in *England*. *William* had been so exceedingly bountiful to the foreign adventurers in his service, that it seemed but a small defalcation out of their estates to erect and endow an abbey; an act esteemed in those days meritorious enough to atone for a multitude of violences, rapines, and murders, of which most of the *Norman* lords were notoriously guilty. The king generally chose his bishops out of monasteries; the chapters of several cathedrals were changed from canons into convents of monks; and these ³ *Benedictines* had so far

¹ *De leg. & conf.* l. vii. c. 16.

² *Ord. Vit.* p. 786.

³ See Canon 19, 22. *Concil. London.* an. 1102. in *Conc. M. Brit.* t. i. p. 382, 383.

HENRY I. encroached upon the rights of the secular clergy, as to take upon them the cure of souls, and get possession of the parish churches. The wonderful merit of their professed or pretended renouncing of the world, magnified by the highest elogiums; the regularity of their publick devotions; the seeming austerity of their way of living; the apparent sanctity of their manners; their alms and concern for the relief of the poor; their free censures of all modes different from their own, and of the parochial clergy, whom they laboured every where to bring into contempt; had brought them into great vogue, and they had a mighty influence upon the common people. These religious were all devoted to the court of *Rome*: and looking upon *Anselm* as the great champion of the papacy, the king could not gratify them more in any manner, than by recalling this prelate, who accordingly landed at *Dover* on the 23d of *September*.

Anselm refuses to do homage to the king: but marries him to *Maude*, niece of *Edgar Atheling*.

XLIX. HENRY had probably taken this step with the same view that he had in other popular acts, but without reflecting on all the consequences: for when *Anselm*, coming to him at *Salisbury*, was, after an apology for not deferring the coronation till his arrival, required to do the customary homage of his predecessors, the king was much surprized, to meet with a peremptory refusal. The archbishop, to justify his conduct, acquainted his majesty with the late canons made in the council of *Bari*, against the clergy's receiving investitures from laymen and doing them homage: and told him very frankly, "that if he would submit to those canons, they might live in a good understanding together, but otherwise he did not see that his stay could be of any use; for if the king would give investitures of sees and abbeys as formerly, he could not communicate either with him, or with those so promoted; nor should he remain in *England* unless his majesty resolved to obey the *Roman* pontiff. The king was strangely shocked at the resolution, and knew not well how to act upon the occasion; he thought it a great hardship to be stripped of so considerable a part of his prerogative, as the patronage of churches, and the homages of prelates: and yet it was dangerous to send *Anselm* out of the realm, before he was well settled in the government. In giving up the first point, he imagined that he lost half his kingdom; in taking the latter party, he ran the danger of losing the whole to his brother *Robert*, who, if the archbishop espoused his cause, would easily succeed in his design of mounting the throne of *England*. In this situation he thought it best to gain time, till agents might be sent to *Rome*, to try if the Pope, out of regard to the ancient customs of this nation, might not be prevailed with to suspend or dispense with the late canons about investitures: and *Anselm* being restored to all the lands and profits of the see of *Canterbury*, a truce was agreed on, all things being to remain in the same state, till the *Easter* following, when it was expected the messengers might return.

THE archbishop's authority was useful, perhaps necessary, to the king in another political step, which he was for taking at this time, and had much at heart; in hopes of gaining thereby the affections of the *English*: who rising in favour of his brother *Rufus*, had secured him the throne by enabling him to reduce his enemies. With this view he had not only laid a mighty stress on his being a native of this country, born after his father was king: but, being advised by the bishops to marry and leave off that promiscuous lewdness, to which he had been inured, and which had hurt his reputation, resolved to take a wife descended of the ancient race of *English* monarchs. *Maude*, daughter of *Malcolm* III, king of *Scotland*, by *Margaret* sister to *Edgar Atheling*, had, after her father's² death, upon *Donald's*

¹ *Eadmer*, p. 56.

² *Malmesb.* l. v.

usurpation, been brought by her uncle out of that country, and educated in the nunneries of *Rumsey* and *Winchester* under her aunt *Christian*; where she had sometimes wore the veil of a nun, but had never been professed. This princess being upon the spot, in the neighbourhood of the court, was the person that *Henry* proposed to marry: but as it was dangerous in those days to violate any thing that had the least regard to religion; and to take one in the habit of a nun out of a convent, might give great offence, and abundance of scruples were actually raised about it; he was obliged to engage *Anselm* to examine the matter judicially. This was done in a council of the prelates and nobility¹ at *Lambeth*: and it appeared from the proofs, that she had not wore the habit with so much as an intention of professing herself a nun, but only in conformity to a practice, usual enough among the *English* ladies after the conquest, to guard her chastity the better from the lust and violence of the *Norman* soldiery. This being the case, the whole council were unanimously of opinion, that she was entirely free to marry: and *Anselm* having pronounced that sentence, performed as well the rites of her marriage with the king, as the office of her coronation, on *Sunday Nov. 11*, being the feast of *St. Martin*.

HENRY I.
A. D. 1100.

L. THE reasons of all these precautions, taken by *Henry* for the security of his throne, was the return of his brother *Robert* into *Normandie*; where he arrived about a month after the death of *Rufus*: and took possession of his duchy without any trouble or opposition; though he found all *Maine* had taken up arms upon that accident, and *Helie de la Fleche* was in possession of the city of *Lé Mans*; which had opened her gates and received him with great acclamations. The two forts in the place, called the *Tour Royale* and *Mont Barbel*, still held out against *Helie*; who was assisted by the forces of *Fulk* count of *Anjou*; and² the governors, hearing of the duke's return, applied to him for succours: but there being no way of raising the siege, unless by a superior army, and he returning from his religious expedition destitute of money, sent them word to make the best terms they could for themselves; and they had much the same answer from *Henry*, to whom they afterwards applied in vain for relief. *Robert's* thoughts were entirely taken up with an expedition he proposed to make into *England* for asserting his right to the crown; being invited to do so by *Robert de Belesme*, *Roger Poitevin*, *Arnulf de Montgomery*, *William Warenne* earl of *Surrey*, *Walter Giffard*, *Yvo de Grentemesnil*, *Robert de Pontfract*, son of *Ilbert Lacey*, and many others of the principal nobility of that kingdom.

Robert duke
of Normandie
makes an at-
tempt on
England.

He was much incited to this enterprize by *Ralf* bishop of *Durham*; who had, on *February 3*, made his escape out of the tower³ of *London*, by letting himself down from the walls with a rope brought him in a tub of water: and being taken up by a party of his friends, who waited for him at the ditch side, had been escorted by them to the sea, and got over safe into *Normandie*, though the ship which carried his treasure had the ill luck to be taken by pirates. He was there very well received, being a man of great parts and address, crafty, artful, and eloquent, pleasant in conversation, and perfectly well versed in business; having been for many years under *Rufus* chief justiciary and treasurer of *England*. *Robert* assigned the profits of the see of *Lisieux*, which was then vacant, for the subsistence of this prelate and his followers; put him at the head of the council of *Normandie*: and was governed chiefly by his advice in the expedition he was meditating into *England*; in which he was accompanied by the bishop. A fleet had been fitted out by *Henry* to intercept his passage by sea: but most of the seamen⁴ having revolted, and car-

A. D. 1101.

¹ *Eadmer*, p. 57.

² *Ord. Vit.* p. 784.

³ *Sim. Dun. Cont.* c. 1. *W. Mahmeß.* *Ord. Vit.*

⁴ *Flor. Wg.* *Chron. Sax.* *M. Paris.*

HENRY I. ried over their ships to *Robert*, he had found no opposition in passing from *Treport* to *Portsmouth*; where he landed at the latter end of *July*, and was soon joined by some of the nobility, who had formerly done him homage.

A. D. 1101.

HENRY had not been wanting in making the best provision for his own defence, that was possible in his circumstances¹; the earls of *Mellent* and *Warwick*, *Richard de Redvers*, *Robert Fitz Hamon*, and *Roger Bigot* being the onely great lords, that continued faithful to him, or he could reasonably depend upon: the rest either openly reviled him, or secretly favoured his brother. Whilst he was keeping *Whitfontide*², a report of *Robert's* coming into *England* put all the court into confusion, by reason of the mutual jealousy, that reigned between the king and the nobility; he suspecting their fidelity, and they apprehending, that if he once came to be quietly possessed of the throne, he would plague them with severe laws, and govern tyrannically. To restore between them a confidence absolutely necessary in such a juncture, it was proposed as an expedient, that the king, taking the archbishop by the hand, should solemnly promise him, that he would govern the kingdom by just laws, as long as he lived: and this being done, some seemed to be satisfied with the security. But when it was known for certain, that *Robert* was preparing to make a descent, and *Henry* had levied a mighty army to oppose him, several of the great men began to quit the army: and made preparations to join the elder brother. In this distressed condition of *Henry's* affairs, *Anselm*, whose nice conscience and monkish principles of religion seem entirely confined to church matters, and the aggrandizing of the papacy, without any manner of regard to justice in the state, stood firmly to his interests; attended him every where; and did him eminent services. There was no calling any body to account for designs, which there were no witnesses to prove: the taking up and prosecuting of persons upon bare suspicions, would have made matters worse, by causing a general discontent, and have driven multitudes, out of an apprehension of the like treatment, to join the enemy. In this difficulty, *Henry*, afraid for his life, as well as crown, had no friend upon whom he could rely, and to whom he durst unbosom himself, but *Anselm*: he visited him frequently; brought all the nobles he suspected to him, that he might reconcile their minds; and to engage him more heartily in his cause, assured him in the strongest manner, that he would leave all church affairs in *England* to his management and direction, and always pay a ready obedience to the *Pope's* orders and decrees. *Anselm*, thus encouraged, was indefatigable in his endeavours to serve *Henry*; he got the nobility together, and went through all quarters of the army; haranguing every where against breach of faith, and persuading all persons to stand by the king they had acknowledged: and this he did with such success, that (as *Eadmer* says) *Henry*, who would else at that time have lost his crown, owed his safety undoubtedly to *Anselm's* fidelity and industry.

HENRY had posted his army at *Pevensey*, on the coast of *Sussex*, to be ready to oppose the enemy at his landing: but upon advice that *Robert* had made a descent at *Portsmouth*³, he advanced immediately that way to intercept his march to *London*, and to prevent his being joined by such as were embarked in his interests. Several of the nobility went in to *Robert*, though not so many as he expected; some staying in his brother's army, either to see how matters were like to go, or to do him some clandestine service: but *Henry*, finding all the prelates and clergy very hearty in his cause, and the *English* with the common soldiers of his army ready to venture their lives for him, began to hope well of his affairs; though he was not fond of trusting his crown to the event of a battle. The two armies faced one another several days without coming to an action: and this delay gave occasion to

¹ *Malmesb.* l. v. ² *Eadmer*, p. 58. ³ *Chr. Sax. Flor. Wig. Ord. Vit.* p. 787, 788.

Anselm with some other prelates and great men to labour an accommodation, which was at last brought about on the following conditions: “*Robert* was to quit his claim to *England*, upon *Henry’s* paying him three thousand marks a year, and giving up the *Costentin* with all that he possessed in *Normandie*, except *Danfront*; which he had bound himself by oath to the inhabitants, when they received him into the place, never to give up, nor put them in another’s power. The adherents to either party were to have their lands and honours restored to them, whether they lay in *England* or *Normandie*; the two princes were to succeed to each other’s dominions, in case of dying without issue; and agreed likewise to resume their father’s demesnes, to punish boutefeus, and not to encourage, protect, or receive each other’s enemies.” Upon this treaty, which twelve of the chief noblemen on each side were sworn to see performed, the armies were dismissed: and *Robert*, having staid with *Henry* till *Michaelmas*, returned into *Normandie*; where his dutchess was soon after delivered of a son, named *William*.

HENRY I.
A. D. 1101.

LI. HENRY at first allowed all that had sided with his brother to recover the possession of their estates, as *Ralf Flambard*¹ did of his see of *Durham*: but finding himself firmly settled in the throne, he began by degrees to take vengeance on those that had deserted him, or been concerned in the invitation of *Robert*. He prosecuted *Robert Malet*, *Yvo de Grentemesnil*, *Robert de Pontefract*, *Robert de Belesme*, and many² others, for their breach of faith, not indeed all at once, but severally, at divers times, and in different manners: and bringing them to trial, imposed heavy fines upon some; whilst others were deprived of their estates and banished. The greatest of these was *Robert de Belesme*, earl of *Arundel* and *Shrewsbury*, who was properly a subject of *France*, as *Belesme* the chief seat and original honour of his family lay in *Perche*: but he had likewise great possessions, with above thirty castles, in *Normandie*, and the government of the county of *Ponthieu* for the use of *William de Tancarville*, his son by *Agnes*, daughter and heiress of *Guy*, late count of *Abbeville*. *Henry*, in the view of crushing the party of his adversaries, thought fit to begin with this nobleman: and having set spies upon him, for a year together, to observe all his words and actions, and to commit them to writing, found matter enough against a man, whose arrogance, pride, and power made him unguarded in every thing he said or did, to call him to account for other crimes than his original sin of joining with *Robert* in the late attempt against his crown; which, though the true cause of his prosecution, it was dangerous to mention, for fear of alarming all that had been concerned in the same affair, and uniting them in their common defence. The accusation against *Belesme* was drawn up in forty-five articles; which being delivered to him when he appeared in the king’s court, he desired time to have the advice of council upon them, before he put in his answer. This being allowed of course, he employed it, not in drawing up his vindication from a charge, of which he knew himself to be guilty, but in flying to his castles, which he fortified; and in applying to his friends and relations for succours. This behaviour did not surprize the king; who having issued out a proclamation declaring him a publick enemy, if he did not come in by a certain time, and submit to a trial, levied a great army, and invested his castle of *Arundel*. The garrison desiring leave to send to their lord to know his resolution, and to demand either forces to raise the siege, or a permission to surrender, they were indulged in this request. *Henry* leaving a party to block up the place, and ordering the bishop of *Lincoln* to besiege *Tikehill*, marched with the rest of his army into *Shropshire*; the whole of which county in a manner belonged to *Robert de Belesme*: who having a grant of all he could con-

Henry ruins the *Belesmes*, and other distressed persons.

¹ *Sim. Dun. Contin. c. 1.* ² *Ord. Vit. p. 805, 806.*

HENRY I. quer from the *Welsh*, had from thence extended his territories over a considerable part of *Powis-land*. The king's first attempt was upon the castle of *Bridgenorth*; in the building of which fortrefs *Robert* had exerted all his skill in fortification, being superior to any man of the age in that science: and had furnished it with a good garrison of eighty stipendiary soldiers, and a body of *Welsh*; besides his own followers, under the command of *Roger Fitz Corbet*, *Robert Nevil*, and *Ulger Grosvenor*. *Henry* lay before it three weeks, with very little prospect of taking the place by force: but then he found means to gain his point, by the help of a man, whom the haughty, arbitrary, violent, and rapacious spirit of his adversary had driven into his service. *William Pantolf*¹, whose great services to old *Roger de Montgomery*, the first earl of *Salop*, had merited from him a large estate, and a principal employment in the government of that county, had been ill treated, and turned out of both by his son: and being thereupon received into the king's favour, had a reinforcement of two hundred men sent him; was made governor of *Stafford-castle*; and from thence harassed *Robert* with continual excursions; doing him no little mischief by his arms, but infinitely more by his counsels, and the credit, interest, and acquaintance, which he had in those parts, and among the *Welsh* nobility.

THE length of the siege of *Bridgenorth* had allowed time for the earls and chief nobility of *England* to meet together, to consider the consequences of the king's proceedings against *Robert*, and to offer their mediation for accommodating matters between them: they were afraid that if this great nobleman was once destroyed, they might soon follow his fate; and for this reason they all went in a body to the king to intercede for his pardon. *Henry* rejected their request; relying upon the measures that were taking for his service by *Pantolf*: who found means by bribes and promises to draw off *Cadogan* and *Gervat*, sons of *Rees*, from *Robert's* alliance, and to engage them to quit him in his greatest necessity, with the body of forces which they had brought to his assistance. To this service he added another full as important: he was related to the governors of the castle of *Bridgenorth*; acquainted with the *Welsh* officers in the garrison, as well as with the burghers of the town; and being highly esteemed by them all, prevailed upon them to consent to a surrender. To countenance them in this act, the king summoned them with a threatening message, that he would hang all that he should find in the place, if it was not delivered up in three days. The stipendiaries knew nothing of this treaty: but when the place was surrendered pursuant to it, *Henry* permitted them to march off freely with their horses and arms; giving them that mark of his esteem, in regard of their fidelity to their master.

SHREWSBURY was now the onely considerable place left in the hands of *Robert*: the roads to it were bad, narrow, and inconvenient for the march of an army; all the country being full of woods, very thick, and lined with archers, to gall the soldiers in their passage: but *Henry* employing the six thousand foot he had with him, in cutting down the woods, and opening the roads, soon got over these difficulties. *Robert*, seeing the desperateness of his condition; and that there was no opposing so potent an army, met the king as he drew near the town; acknowledged his crime; and offering him the keys of the place, submitted to his mercy: which his majesty granted, and upon the surrender of *Arundel*, and all his other castles, gave him a safe-conduct to pass with his horses and armies into *Normandie*. His vast estate was confiscated: and his two brothers were involved in his ruin; *Roger* earl of *Lancashire*, called the *Poytevin* from having married a wife of that country, who was lord of all the lands between the *Ribble* and the *Mersey*, and had as large

¹ *Dugdale's Baronage*, t. i. p. 26. b. 30. a.

an estate in *Yorkshire* and other parts, and *Arnulf de Montgomery*, lord of *Pembroke-shire*, being obliged to quit the realm with the loss of all their possessions in *England*: *Robert de Pontefract* and *Robert de Malet* were afterwards treated in the same manner; stripped of their estates, and dying in exile. *Ivo de Grentemesnil* imagined he might save his, by mortgaging it for fifteen years to the king's¹ chief favourite and counsellor *Robert* count of *Meulant*, and by going on a pilgrimage to the *Holy Land*: but this cunning and ravenous nobleman having once got it into his hands, it was for ever lost to *Ivo's* posterity. By the ruin of the great family of *Belesme*, *Henry* saw himself absolute master of his kingdom: and no body daring to dispute his will, or to stand in their own defence, he used his power in a very arbitrary manner, without any regard to justice or his treaty with *Robert*; all whose adherents he considered as his enemies, and, being implacable in his hatred, found means to ruin. There was likewise a political view in this proceeding: the overgrown estates in the families of the original set of *Norman* nobility, concerned in the conquest, rendered two or three of them united a match for the crown in power. By parcelling out their estates to *Geffrey de Clinton*, *Ralf Basset*², *Hugh de Bockland*, *William Trussébot*, *Hamo de Falaise*, *Robert de Bostar*, and others of his favourites, all of low rank at that time (though raised by this new feofment of lands, their families soon came to be considerable) the king advanced his own authority, and lessened the strength of the nobility: all power growing less by being divided into many hands; which it is not easy to unite; or, if it were, their influence would still be less considerable, than if the whole centred in one person.

HENRY I.
A. D. 1102.

LII. THE most considerable power now left in the nation, distinct from that of the crown, was lodged in the bishops and abbots. The king, whose view was to keep them dependent, saw with infinite concern the attacks made upon his prerogative, in the point of the donation of prelacies, by the papal decrees against lay-investitures, and the measures which the court of *Rome* was taking in order to subject all ecclesiasticks to its own, by exempting them from the regal authority. The agents, sent by the king³ and *Anselm* to *Rome*, returned about the time of the peace made between the two brothers: and had brought an answer from the Pope, insisting upon the execution of the late canons against investitures. *Henry* however had required the archbishop to do him homage, and consecrate such persons as he should invest with prelacies; telling him, that he would not part with the rights of his crown, established by the constant practice of his predecessors, nor suffer any man in his realm that would not give him the usual securities of a subject. *Anselm* flatly refused: and the king, though pressed by some of the nobility, who perhaps wanted to see him embroiled, to cast off all obedience to the Pope, would not proceed any farther, at a time, when that great prelate's services were so recent. But as it was found very inconvenient for things to continue long in a state of suspense, he sent for *Anselm* to *Winchester*, and proposing to send fresh agents to *Rome* to know the last resolution of that court, it was agreed to; the king naming for his *Girard*, late bishop of *Hereford* and elect of *York*, *Herbert* of *Thetford*, and *Robert* bishop of *Chester*; and *Anselm* on his part deputing two monks, *Baldwin* and *Alexander*. These agents returned this year about *Michaelmas*; when the king, in an assembly of his nobility⁴, invested two new bishops in the sees of *Sarum* and *Hereford*: and sent *Anselm* word, he must either comply with the ancient usages of the realm, or else quit the kingdom. The Pope's answers, as well to the king as to the archbishop, were of the same tenor as the former; condemning lay-investitures: but the king would not produce his letter, and the authority of

Dispute about
lay-investi-
tures and pa-
tronage of
prelacies.

¹ *Ib.* p. 84.

² *Ord. Vit.* p. 804.

³ *Eadmer*, p. 49, 51, & seq.

⁴ *Flor. Wig.*

HENRY I. that directed to *Anselm* was called in question by the three bishops, who had been sent to *Rome*, and maintained, that the answer which they had received from the Pope's mouth amounted to a revocation of what was written to the archbishop. They averred in the solemnest manner, on the faith due to their episcopal character, that "the *pontif* had ordered them to assure the king, that as long as the king behaved himself like a good prince in other matters, he would indulge him in the point of investitures, and not excommunicate him for giving the pastoral staff to prelates: but he did not care to give this under his hand in a letter, lest it should come to the knowledge of other princes, who would be apt to usurp the same privilege." This solemn asseveration of the bishops, differing from *Anselm's* letter and the report of his agents, caused a great diversity of sentiments in the assembly: but most of the prelates and nobles, inclined either to believe the three bishops, or to favour the king's cause, were for insisting peremptorily on the archbishop's doing homage, and consecrating the two new bishops, that were immediately to be invested, according to the custom of his predecessors. *Anselm*, in this contradiction of testimonies, "desired time to send to *Rome* to be informed of the truth of the matter, and till then would not withdraw his communion from such as received investitures from the crown: but he would neither consecrate such himself, nor give any commission to others for their consecration."

Thus the affair slept for a while: and the two new bishops, being invested, immediately sat in the national synod held at this time¹, with the king's leave, in the church of *St. Paul* at *London*; in which *Anselm* presided, and at his request the lay nobility assisted, that its decrees might by the joint care of the clergy and laity be the better executed. The first act² of this synod was the depriving of six abbots on pretence of simony³, and three others for different causes: after which it proceeded to draw up in a great hurry several canons not duly considered; as the archbishop himself acknowledgeth in his letter upon this subject. It was now that he got his own distaste to long hair warranted by a canon⁴ obliging all persons to cut it so, that part of their ears might appear⁵; and the papal decrees against the marriage of the clergy⁶, and the sons of priests⁷ succeeding their fathers in churches⁸, to be received. It looked like *Christian* tenderness and charity, to forbid the selling of men⁹, like beasts in a market; a practice probably occasioned by the vast number of slaves that had gone from *England* in expeditions to the *Holy Land*: but it was evidently calculated to gratify the avarice of the court of *Rome*, to prohibit the marriage¹⁰ of kinsfolks to the seventh generation, to annul them when contracted, and to treat them as downright incest; with which however that court could for a valuable consideration dispense. It was proper for the preservation of discipline, to prevent the encroachment of monks on the rights¹¹ and emoluments of the parochial clergy; to prevent new chapels¹² being erected without the bishops consent; and to stop the consecration of churches till sufficient necessities¹³ for the parish priest and the church were provided. It was

¹ *Ib.* p. 67. ² *M. Paris.*

³ I am apt to think, that as these abbots were afterwards restored to their former dignities (*M. Paris, A. D.* 1103) by the Pope at *Anselm's* intercession, all their simony was the receiving of their investitures from lay hands; which Pope *Paschal* in his letter (*Eadmer*, p. 66.) calls *Venenosa Simoniace pravitate radix*, and was charged by all the partizans of the papacy in those days as downright simony. Thus in the language of the same age, the wives of clergymen were styled *concubine*, *fornicarie meretrices*; and *castitas* meant no more than living an unmarried life, the kind of chastity upon which the monks laid the greatest stress; and *Anselm's*

letter, about the canons of this very synod, gives the term of *fornication* to a clergyman's cohabitation with his wife. *Concil. M. Brit.* t. i. p. 384. b.

⁴ *Can.* 24. ⁵ This was not observed till three years after; when the king being in *Normandie* was persuaded by *Serlo*, bishop of *Seez*, to have his hair cut, and the nobility then with him, were drawn to follow the example.

⁶ *Can.* 5, 6, 7. ⁷ *Can.* 8.

⁸ This last decree had been made by Pope *Urban* II, in the council of *Cherment*, *A. D.* 1095.

⁹ *Can.* 28. ¹⁰ *Can.* 25. ¹¹ *Can.* 22, 26.

¹² *Can.* 16. ¹³ *Can.* 17.

probably to widen the distinction between the clergy¹ and the laity (a point much laboured in that age by the *Popes*) that the former² were forbidden to be either stewards in secular matters, or (agreeable to a former decree of an *English* council) to be judges in cases of blood; and that abbots³ were discharged from dubbing knights; a practice, which from this time fell into desuetude, though the king then upon the throne thought fit afterwards, when he founded the abbey of *Reading*⁴, to grant the abbot, in a charter confirmed by king *John*, the privilege of creating clergymen, as well as laymen, knights; with some cautions for his behaviour on such occasions. These are the most material points that merited the attention or cognizance of this synod: at the conclusion whereof, *Roger*, elect of *Hereford*, died; being succeeded by *Reinelm*, the queen's chancellor; who was invested by the king in the same manner as his predecessor.

ANSELM not long after was desired again by the king to consecrate the bishops lately invested⁵, with *William* elect of *Winchester*. This last being come over to the archbishop's sentiments, ready to receive the pastoral staff from him, and determined not to exercise any authority in episcopal causes, he was willing enough to consecrate: but absolutely refused to perform the same office to the others. *Henry* would have them all consecrated, or none; and ordered *Gerald*, archbishop of *York*, with some other bishops, to do it: but *William* refusing to be so consecrated, and *Reinelm* returning the ensigns of his investiture, this scheme was utterly disappointed. The king, about mid-lent following, going to meet *Robert* count of *Flanders* upon business at *Dover*, came to *Canterbury*: and signified to the archbishop, that he must either comply with him in the points disputed, or prepare himself to go an exile abroad, and have all the temporalities of his see confiscated. *Anselm* was willing to be determined by the *Pope's* letters, which were lately arrived; but had not yet been opened: nor would the king suffer it to be done; alledging, he had nothing to do with the *Pope* in his own affairs. The prelate however continuing firm in his resolution, not to comply without directions from the court of *Rome*, his majesty pressed him to go thither himself, to try if he could not prevail to keep him from being dishonoured by the loss of his predecessor's rights: and the court of peers, at its *Easter* meeting, being entirely of the same opinion, *Anselm*, on *April* 27, sailed over to *Witsand*, and got in *September* to *Rome*; where *William de Warelwast*, the king's agent, had arrived a few days before. This agent, who was a man of parts and address, had used all his art and industry to bring the court of *Rome* to a compliance with his master's desires; representing or insinuating his resolution not to part with the rights of his crown; the indignity he would suffer in being stripped of what his predecessors had always enjoyed; the resentment it would occasion; the consequences whereof, in an open breach with *Rome*, and in stopping the large sums which were continually flowing thither from *England*, they might probably lament, when it was too late for a remedy. These representations, and perhaps some other ways of softening, brought over several of that court to the king's side: and though the *Pope* himself continued firm in his resolution to take away the royal donations of churches, he did not yet care to push matters to a rupture. He wrote a letter in softer terms than ordinary to the king; trying to persuade him to give up the point in debate; professing, that "he should be glad to oblige him in any lawful thing; and had no design of curtailing his due prerogative: but the granting investitures was a privilege so essential to the government of the church, that it could not be allowed a layman." This, with some

¹ This distinction is preserved in the canon against sodomy, which was to be punished in a clergyman with degradation, and an incapacity of being advanced higher, but in a layman with the

loss of his quality, and forfeiture of his dignity.

² *Can.* 9.

³ *Can.* 18.

⁴ *Not. Selkirk. in*

Eadmer. p. 207.

⁵ *Eadmer.* p. 69. & seq.

HENRY I. small compliances in other matters, was all that *Warewast* could obtain; though he staid behind *Anselm* till the latter end of *November*: and it not being agreeable to his master's wishes, he notified to the archbishop, when he had overtaken him on the road, that the king did not desire to see him in *England*; unless his behaviour towards him was conformable to the example of his predecessors. This determined *Anselm*¹, who was resolved not to do homage, nor communicate with the receivers of lay-investitures, without a papal dispensation, to pass some time at *Lyon*: and he staid there two years, expecting in vain some alteration in the state of affairs, that might allow him to return to *England*.

Henry's measures to ruin his enemies in England.

LIII. WHILST *Henry* was thus struggling to maintain his prerogative in the patronage or donation of churches, he had much raised it in ² civil matters: and was grown rich by the confiscations of the great barons, that had adhered to his brother. Among the sufferers on this account was *William de Warenne* earl of *Surrey*³; who retiring to *Normandie*, and complaining, to the duke, of the earldom and great estate he had lost for his cause, *Robert*, full of romantick notions of honour, and never thinking where that was concerned, took a sudden resolution of going over to *England*, to mediate with his brother for the restitution of his lands and honours. *Henry* pretended to be angry with his visit, though he came only with eleven attendants; asked the opinion of his council about the treatment to be given enemies that entered his realm without his leave: and sent to his brother, to know what he meant by coming over. *Robert* then perceived what an inconsiderate step he had taken, and that if he did not carry himself very prudently he should be detained prisoner: nor were his apprehensions lessened, when, complaining to his brother of the confiscation of the earl of *Surrey's* estate, contrary to the articles of their treaty, *Henry* upbraided him in harsh terms with a like breach of it in giving *Robert de Belesme* his father's demesnes, with the castle of *Argentan*, the lands of the see of *Seez* and the forest of *Golfer*; though *Robert* had tried in vain to reduce that turbulent rebel by force, and had been obliged at last, purely by the necessity of his affairs, to procure a peace on those hard conditions. The count of *Meulan*, *Henry's* chief minister, the falsest, craftiest, and most artful man of his time, was employed to work up the duke's fears, and to suggest, that there was no escaping the danger, but by making the queen a compliment of the three thousand marks + annuity, which he received from her husband. *Robert* gave into the snare remitting the annuity, which he had received only for one year; and this making matters easy with *Henry*, equally pleased with enriching himself and with increasing his brother's necessities, *War. me* was restored to his honours: and the duke returned home to repent at leisure of his hasty unadvised journey.

A. D. 1104.

THE next year afforded another remarkable instance of *Henry's* perseverance in his design of ruining the great nobility, and of wrecking his vengeance on all he suspected to be his enemies, or favourers of his brother *Robert*. *William*, count of *Mortain* and earl of *Cornwall*, was his cousin-german, being the son of *Robert* half brother to the *Conqueror*, and brother by the whole blood to *Odo* bishop of *Bayeux* and earl of *Kent*; who, accompanying the duke of *Normandie* in his expedition to the *Holy Land*, had died during the ⁵ voyage at *Palermo* in *Sicily*. He was the undoubted heir of his uncle, and claimed the earldom of *Kent*, which *Odo* had enjoyed: but making a demand of it in an importunate, if not in an arrogant, manner, at the time that *Robert*, after his return from the *East*, was about invading *England*; when he imagined *Henry*, whom he never liked from his early

¹ *Eadmer*, p. 79.

⁵ *Malmesb.* l. v.

² *Ord. Vit.* p. 805.

³ *Id.* 804.

⁴ *Chron. Sax. Flor. Wig.*

years, durst not deny him any thing, he was from thence suspected as an enemy. HENRY I. A. D. 1104. The king gave him a prudent answer, contrived to leave him in hopes, and keep him in suspense till the storm was blown over; nor did *William* make any defection, or give any open assistance to *Robert*: but *Henry*, with whose political maxims it clashed to aggrandize any of the nobility, and who out of the jealousy and malignity of his nature, imagined him to have been concerned in the general conspiracy, as soon as he saw himself by the peace quite out of danger, gave him a flat denial. It was not agreeable to the king's politicks to create an enemy by ill usage, and leave it in his power to revenge it on occasion: he proceeded accordingly to call *William* to account for some lands, that it was pretended, he possessed illegally. It was not proper to use violence against so great a man and so near a relation; so that to keep the appearance of equity, and shew an exterior regard to the law, it was resolved to proceed in the way of a judicial process. The justiciaries were the king's creatures, obsequious to his will, and ready to execute the measures which his passions dictated: *William* was condemned not only to lose the lands, which, it may be presumed, he had, like other rapacious *Normans*, usurped; but (what is utterly unconceivable) the earldom of *Cornwall* and all the vast estate in *Suffex* and other counties; which his father was justly possessed of according to *Domesday book*, and which he inherited from him by an undoubted title. *William*¹, full of fury at this treatment, retired to his county of *Mortain* in *Normandie*: and from thence wasted some of the king's lands and those of his partizans, that lay adjoining to his own, and had not been delivered up to *Robert*, pursuant to the peace between the two brothers: and this behaviour drawing to him a number of gentlemen, that, according to the mode and circumstances of the time, took the same delight in plunder, he became the head of another faction; which with *Robert de Belesme* harassed their native country with continual devastations.

LIV. THE duke of *Normandie*, either despising the world and given up to devotion, as ² *Eadmer* says, or amusing himself in plays and feasting³, as his brother's sarcasm on him suggests, did not interpose to suppress any of these disorders: nor indeed was he able to prevent them; being (as *Ordericus*⁴ represents) so easy in granting every thing asked of him, that he had left himself nothing more to give, having granted away all his demesnes, except ⁵ the city of *Roüen*; so careless in squandering his money, that he was generally in want; and so bare of cloaths, that he was sometimes forced to lie in bed till noon, and could not go to church for want of them; whilst those about him, abusing his lenity, stole his breeches, stockings, and other apparel. None expecting any relief from him in this despicable condition, *Serlo*⁶ the bishop, and *Ralf*, abbot of *Secz*, went over into *England*, to implore the king's assistance against the tyrannical oppressions of *Robert de Belesme*: and many of the *Norman* nobility, as well of the clergy as laity, petitioned by their agents for the same protection. *Henry*, not content with bereaving his brother of a kingdom to which he had a better right than himself, wanted likewise to strip him of his dutchy; not thinking himself secure in the one, whilst he enjoyed the other. He had, with this view, encouraged the troubles of that country: and a civil war arising, about the succession of *William II*, count of *Breteuil*, between *Reginald* son of *Roger*, *William's* brother, the rightful heir; and *Eustace*, a natural son of the deceased count, he had supported the latter in his unjust pretensions; given him his own natural daughter *Juliana* in marriage; sent

¹ *Flor. Ilig. Chr. Sax.* ² *P. 80.* ³ *Ord. Vit. p. 820.* ⁴ *P. 786.* ⁵ *Gemet. l. vii. c. 13.*

⁶ *Ord. Vit. p. 812, 813, 814.*

HENRY I. over the count of *Meulant* to promote his service; and solicited all the *Norman* barons in his behalf; declaring he should look upon every body as his own enemy, that did not favour his designs. His own were certainly much favoured by this application from *Normandie*; which tempted him to pass over thither in the summer with a body of forces, not to commit hostilities (for he pretended only to be come over to visit *Danfront* and other places belonging to him in the neighbourhood) but to see the number of his friends, and to concert measures with such as were in his interests. He was visited upon his arrival by most of the nobility; the chief of which were the counts of *Meulant*, *Chester*, *Aumale*, *Eu*, and *Mortagne*, or *Perche*, *Ralf de Conches*, *Robert de Thorigny*, *Ralf de Mortemer*, and *Robert de Montfort*. There was still one great nobleman, very capable of opposing his designs, and too honourable to desert the allegiance he owed to his natural prince; this was *William* count of *Evreux*: whom yet, when his money and promises had failed of their usual influence, he found means to gain, by making his brother accessory to his own ruine. He had sufficient experience of the easiness of *Robert's* nature: and inviting him to a friendly interview, persuaded this unthinking prince to make him a grant of the sovereignty of the county of *Evreux*, and to assign to him the count's homage and allegiance. *William* was sent for: and the duke with great solemnity taking his hand, put it into his brother's; who received him for his vassal; notwithstanding that the count had represented before hand to him the ill consequences of the step he was going to take, in thus transferring his allegiance. *Robert* was indeed startled at this remonstrance; but having given his word, it served only to make him play the fool with his eyes open: in spite of all the mischiefs which he saw would follow it, like a man of nice honour, he performed a promise, into which he had been unwarily surprized. *Henry*, having thus paved the way of usurping all his brother's dominions, returned, full of hopes of carrying his point, at the latter end of autumn into *England*.

A. D. 1105. THE year following, in the last week of *Lent*, he¹ passed over again into *Normandie* with a great army, in order to reduce the country into his own subjection: and landing at *Barfleur*, encamped, on *Easter* eve, at *Carentan*. There he was joined by the greatest part of the *Norman* nobility; who, bribed by the gold and silver brought out of *England*, and forgetting the allegiance they owed to their natural lord, joined him, with their followers: and admitted his troops into their castles. He received a further reinforcement from *Helie* count of *Maine*, whom he had engaged in his interest, and from a body of *Bretons* which he had taken into his pay: and investing *Bayeux*, which was bravely defended by *De Launay* the governor, took it at last by storm; setting in his fury fire to the town, and burning the cathedral, which he afterwards, by way of penance, rebuilt. The inhabitants of *Caen*, either disgusted at the levies they were forced to pay for erecting a causeway², which the duke had ordered to be made for their great convenience, terrified by the calamity of *Bayeux*, or else corrupted by money, opened their gates to him: and some other places likewise submitting, *Henry* advanced to *Falaise*, which he besieged, and tried to take by various assaults. But being repulsed in all, *Robert de Thorigny* disabled by a wound, *Roger* earl of *Gloucester* killed, and the count of *Maine* retiring with his troops, he was obliged to raise the siege: and seeing no likelihood of reducing the country that year, went over before winter to *England*, in order to return next year with greater forces to compleat his conquest of the dutchy.

A. D. 1106. IT doth not appear for what reason, or whether by his invitation (for certainly a man so obnoxious durst not enter his territories without a license)³ *Robert de Be-*

¹ *Ord. Vit.* p. 814. *Chron. Sax. Flor. Wig.*
bound with iron used in making it. ² *Ib.*

³ Called *La Chauffée ferrée* from the large hard stones

lesme followed him thither, and staid with him part of the *Christmas* holidays: HENRY I. A. D. 1106. but whether the king was not able to gain him, or it was thought proper to cover a secret convention between them for the betraying of his lord, they parted, at least in appearance, enemies. Whether the duke was by this means apprized of *Henry's* designs, or raised out of his indolence by the remonstrances of other friends, he thought it proper to divert the storm¹, by making a visit to his brother: and finding him in *Lent*, keeping his court at *Northampton*, expostulated with him about his late invasion of *Normandie*; demanding restitution of the towns he had taken. This *Henry* absolutely refused: and *Robert*, convinced of his persisting in the design of subduing the rest of the dutchy, left him soon; and full of resentment, returned home to prepare the best he could for the defence of his remaining territories. The king was conscious of the iniquity of his proceedings, and the unnatural usurpation he intended: and to render his conduct less shocking, by covering it with the cloak of religion, and pretences of the publick good, he had either procured, or pretended to have, letters from Pope² *Paschal*, with whom he was now in better terms than formerly; directing and inciting him to rescue *Normandie* from the ill government of his brother. The churches, which had been burnt in the civil wars of that country, though both sides were equally guilty in that³ respect, served him for a pretext to send after *Easter* embassadors to the king of *France* and the count of *Anjou*; pressing them to take vengeance on *Robert de Belesme* and the count of *Mortain*, as enemies of the church; in hopes of hindering them by such a diversion from assisting his brother with their forces. All writers complain of the misery, to which the people of *England* were at this time reduced by the insupportable taxes, laid upon them for defraying *Henry's* expences in bribes to the *Normans*, and in the expeditions of the two precedent years: he was now to raise larger sums, and to levy a greater army for this year's campaign; a work of such difficulty, that he did not pass over to *Normandie*, till a little before *August*.

His first attempt was upon *Tenerchebray*, a castle belonging to *William* count of *Mortain*; which he at first proposed only to block up by a fort that he erected over against it: but the count having found means to throw a supply of victuals into the same place, he thought fit to besiege it in form. *William* applied to the duke and to *Robert de Belesme* for succours: and the former having first sent to his brother to raise the siege, and in failure thereof to proclaim war against him, they marched to his relief with their united forces. Some monks laboured to prevent a battle: but *Henry*, knowing himself the stronger, would agree to no terms less than the full possession of half the dutchy, and the government of the whole; condescending however to leave the other half to *Robert*, provided he did not pretend to meddle in the government; or else to give him an equivalent for it, by a pension out of his exchequer. These terms were thought too unreasonable by the council of *Normandie*: and *Robert* resolved upon an engagement, though much inferior to his brother in numbers. He charged the main body of the *English* with so much⁴ fury that he broke them; and was well seconded by the count of *Mortain*, commander of one of his wings, who forced the *Britons* to give ground: But *Robert de Belesme*, who was⁵ at the head of the other, and seems not to have behaved with his usual valour and conduct, being easily put to flight by the count of *Maine*; and the *English* being rallied by their king, who came up with a body of horse to support them, the duke's army, overpowered by numbers, was entirely routed. The battle was fought on *Michaelmas* eve; and *Robert de Belesme*, flying

¹ *Flor. Wig. Chron. Sax.*² *Malmesb. l. v.*³ *Ord. Vit. p. 816.*⁴ *M. Paris.*⁵ *Ord. Vit. p. 821.*

HENRY I. early from the field, made his escape: but the duke himself, the count of *Mortain*, *Robert d'Estouteville*, *William Crispin*, and *William de Ferrieres*, with some thousands of common soldiers, were taken prisoners¹; as was likewise *Edgar Atheling*. This last prince being of the same age, temper, dispositions, and turn of mind with duke *Robert*, a great friendship had been contracted between them: and though the obligations he was under to endeavour the restoration of his nephew *Edgar* to the throne of *Scotland*, hindered him from accompanying the duke when he first set out on his expedition to the *Holy Land*, yet as soon as that work was effected, he followed him thither with twenty thousand *English*, and undertook to defend *Laodicea* in *Cælojyria* for him against the infidels. After their return from the East, he had continued his attachment to *Robert*; living in his court at *Roüen*, and sharing his fate in this unfortunate battle: though he met with better usage afterwards from *Henry*; being carried to *England*, and soon after set at liberty, as a man of no consequence. The count of *Mortain*, *Robert d'Estouteville*, and *William Crispin* were sent thither likewise: but condemned to perpetual imprisonment. *William de Ferrieres* fared better, through the bravery and fidelity of the garrison and inhabitants of *Falaise*; who having sworn not to deliver the place but to him or the duke in person, *Henry* was forced to employ him in order to get possession of it; for fear it should fall into the hands of *Robert de Belesme*, from whom it could not easily be recovered. The duke himself was carried by his brother along with him to *Roüen*: the town readily submitting, he gave orders to *Hugh Nonant* to deliver up the castle; all his other fortresses in *Normandie* doing the same upon the like orders. When *Henry* had thus made all the use he could of *Robert*, he sent him to *England*; where he was kept twenty eight years a close prisoner, till death put an end to his misery in *A. D.* 1134, at *Cardif* in *Glamorganshire*, the last place of his captivity. Such was the unnatural cruelty exercised by *Henry* upon one, who was incapable of doing the least act of that kind to the greatest stranger; who was too much a lover of quiet, and too exact an observer of his word, to render such severe precautions necessary; and who was likewise his elder brother and natural lord: but the easy ways, found out by the monks in ages of ignorance, of commuting for sins, gave too much encouragement to the most shocking iniquities; and the founding of the² abbey of *Reading* served to stifle the reproaches of his conscience.

THE surrender of *Falaise* was of the greater consequence to the king of *England*, because it put into his hands *William*, the only son of his brother *Robert*; whose being in his power secured to him an undisturbed possession of the duchy. There are few persons so extremely profligate, but they have some regard to their reputation; *Henry* was afraid of falling under the imputation of some crime of the blackest dye, if any accident should attend the young prince whilst in his custody or court: and out of this apprehension³, committed him to the care of *Helie de S. Saen*; to whom *Robert* had given the county of *Arques*, with his natural daughter in marriage, and who taking great care of *William's* education, executed his trust very honourably. Nothing was now wanting to compleat the reduction of *Normandie*, but the submission of *Robert de Belesme*: and this nobleman having in vain solicited *Helie* count of *Maine* to join him, and make war upon the usurper (so he termed *Henry*) made use of his mediation for obtaining a peace with the king, upon the conditions of giving up the bishoprick of *Seez*, *Argentan*, and the forest of *Goulfer*, and of being restored the vicounty of *Falaise*, with all the offices and benefices, which his father *Roger de Montgomery* had enjoyed in *Normandie*. The whole country being now in peace, *Henry* held a great council of the pre-

¹ *Chron. Sax.*² *M. Paris.*³ *Ord. Vit.* p. 76, 77.

lates and baronage at *Lisieux*, to provide for the preservation of it by wholesome regulations, for restoring the injured to their rights, for punishing robberies, and preventing depredations for the future. Among others, it was declared in this council, that all the grants which *Robert* had made of his father's demesnes were null, as made by imprudence, and in favour of persons that proved ingrateful: and orders were issued, that they should be all resumed into the king's hands, and that all castles and fortresses erected since the *Conqueror's* death should be demolished, as nests of tyranny and receptacles of robbers. Peace being thus firmly settled, *Henry* had nothing more to do abroad in civil affairs; but to receive the homages of all the *Norman* nobility: and these acts of recognition being compleated in his court at *Christmas*, he returned in the *Lent* following to *England*.

HENRY I.
A. D. 1106.

LV. THE chief business that called him thither, was, the putting in execution of the late compromise he had made with the Pope about investitures, and the finishing of all the disputes between himself and *Anselm*¹. This prelate having been forbid to return into *England*, unless he would comply with the customs observed in the time of the two last kings, had staid sixteen months at *Lyon*; when he received a letter from the Pope², dated *March* 26, *A. D.* 1105, acquainting him with the excommunication of *Robert* count of *Meulant* and other counsellors, who had put the king upon granting investitures, and of such as received them from him; and that the like sentence against his majesty was only deferred in expectation of the arrival of some agents in his behalf. *Easter day* fell that year on *April* 9: and *Anselm* having staid to receive the sentence against the king, set out from *Lyon* probably in *May*; passed by *Cluny* to *Blois*, where he made a visit to the king's sister *Adela*, countess of *Blois*; apprizing her of the reason of his coming into *France*, and of the resolution taken for excommunicating her brother. This devout princess had been very bountiful to the archbishop during his former, as well as present, exile: and being extremely concerned at the censure to be issued against the king, laboured to prevent it, by bringing about a conference between him and *Anselm*, in order to adjust their differences³. They met accordingly at the castle of *l'Aigle* on *July* 22, and having settled them so far as the archbishop conceived himself to be empowered to consent; the king was reconciled to him; restored him the rents of his see; and would have given him leave to return to *England*, if he would have communicated with the prelates who had received royal investitures, and with such as had consecrated those so invested. But *Anselm*, not caring to take this step, chose to stay in *Normandie* till the return of the agents, whom they were to send to *Rome* about some matters, which they were not able to determine of themselves. This reconciliation was of great use to the king in a juncture, when several designs were formed to his prejudice, and ready to break out upon his being excommunicated: but these were all baffled upon the sentence being prevented. *Henry*, however, desirous to be as far advanced as possible in the conquest of *Normandie* before the remaining points were settled, was in no haste to dispatch his agents to *Rome*: it was proposed they should return thence by the *Christmas* following, but he doth not seem to have sent them before that time; notwithstanding all the remonstrances of *Anselm* and others against so inconvenient a delay. At last *William de Wareham*, deputed on his part, and *Baldwin de Tournay*, on the archbishop's, set out together for *Rome*: and having adjusted the undetermined points with the Pope, *Paschal*⁴, on *March* 23, *A. D.* 1106, signified by a brief to *Anselm*, that he should receive all the prelates, who had either received investitures, or been concerned in the benediction of such as had, or had done homage to the crown, upon their making such sa-

A. D. 1107.
The dispute about investitures compromised.

¹ *Eadmer*, p. 76, 77.

² *Ib.* 79.

³ *Ib.* 80, & seq.

⁴ *Ib.* 87.

HENRY I. satisfaction, as the two agents were instructed to tell him verbally: and with regard to such as should hereafter receive prelacies from the crown, and did homage to it, provided this was done without being invested in the usual manner, he was still to consecrate them either by himself, or by commission. The king, upon *Warelwaſt's* account of the accommodation, delighted that he had got so well out of this troublesome affair, sent *Anſelm* leave to return home: but the archbishop¹ was stopped in his journey by sickness; till *Henry* was on the point of coming over to compleat his purchase, rather than conquest, of *Normandie*; which made him think it more proper to wait at *Bec* for the king's arrival.

ANSELM had received from *England* heavy complaints of the intolerable oppressions there exercised as well upon the clergy as laity: and was desirous to procure some redress for these grievances before he came over. The vast sums expended by the king in bribing² the *Norman* nobility, had occasioned those oppressions which reduced half the nation to beggary; the poorer sort having their goods seized; the very beds they lay on and the utensils of their houses sold; being turned out of their houses, and the posts of their doors plucked up; whilst richer people were plagued with new invented forfeitures, and prosecuted in the king's court with as little justice (that judicature allowing no plea against the king's interests) and as great cruelty as had ever been practised in the time of *Rufus*. But what the archbishop laid still more to heart, was the grievous fines laid upon the clergy, under pretence of the canons made in the late council of *London* against marriages. That council, like the mixed assemblies in the *Saxon* times, had been composed of the lay nobility as well as prelates: and the penalties, providing for the observance of those canons, were both of an ecclesiastical and civil nature; married priests³ being put out of the protection of the law, which was equivalent to an out-lawry, and incapacitated to celebrate divine service. Since the *Conqueror's* separation of the civil and ecclesiastical courts, a distinction between causes of different kinds had been established: and there was no longer any mixed judicature, as in former days, for the trial of such causes together, and to prevent all disputes about the competent jurisdiction in such cases. It belonged to the civil power to execute the civil penalty upon criminals: and the king's officers, proceeding in a very illegal and arbitrary manner, levied at first sums of money upon such of the clergy as kept their wives; and when this was found to arise to no great matter, upon all in general, without making any distinction between the innocent and the guilty. Every parish church was taxed at a certain sum⁴, and the incumbents were forced to pay it, notwithstanding their innocence, if they would not be sued in the king's court, and be put out of the protection of the law; be imprisoned and otherwise plagued; hardships which, upon the king's coming to *London*, two hundred of the clergy, marching⁵ barefoot in solemn procession, had represented to him, but without relief. This *Anſelm* resented as an impious violation of the liberty of the church: and wrote to *Henry*, pressing him earnestly to desist from so heinous a sin, and not hurt his own soul by meddling with the clergy, whose offences were cognizable only by their own diocesan bishops, and if these were negligent, by the archbishop or primate. The king deferred giving him satisfaction on this head, till he had consulted his barons, who were to meet on *Ascension day*: and afterwards put it off, till he went over into *Normandie*, and could do it in a per-

¹ *Ib.* p. 89. ² *Ib.* p. 83. ³ *Can.* 6.

⁴ I am apt to think that some pretence was found out for this, from the non-observance of other canons; particularly the eighth of the said council, which incapacitated all clergymen, who were sons of priests, to succeed to their father's livings,

which took in the greatest and best part of the *English* clergy; on which account *Paschal*, in a letter to *Anſelm*, dispensed with the observation of this canon. *Eadmer*, p. 91.

⁵ *Eadmer*, p. 85, 86, 89.

sonal conference. This was held on *August* 15, in the abbey of *Bec*, when the king promised he would take nothing from the clergy, who had not yet paid their money; and such as had should be, for three years to come, excused of all imposts, and free from all kind of trouble. All other matters in dispute between them were adjusted at the same time: and the king engaging as long as he lived to take no part of the profits of prelacies during their vacancy, *Anselm* went over well satisfied into *England*.

HENRY I.
A. D. 1107.

THE king was obliged to stay still the beginning of the year following in *Normandie*, to settle the country: but upon his coming over this year, it was proposed to publish the terms of the late accommodation, at the *Easter* meeting of the prelates and nobility. *Paschal*, coming into *France* to hold a council at *Troyes*, and sending for *Wareham* and *Baldwin* thither, the absence of these two agents, with the uncertainty the king was in, as to the Pope's final resolutions, till their return, caused the matter to be deferred till *Whitfontide*; as *Anselm's* illness occasioned a further delay till the first of *August*. The prelates and nobility of the kingdom, meeting then at the king's palace in *London*, debated three days (in none of which was *Anselm* present) the point of investitures; some pleading hard for continuing the received practice, and not submitting to the Pope's injunctions. The kings of *England* had been always deemed the common patrons of all prelacies, and the delivery of the pastoral staff² and ring had been a rite constantly used in their investitures of prelates. They were likewise so tenacious of this right, that when *Edgar* gave the monks of *Glastenbury*³ a privilege of electing their own abbot, he still reserved to himself the power of investing the elected superior with the pastoral staff; which served for an approbation of the election. Some great lords were also in possession of the same rite, using it in abbeys of their own foundation, by the common right of patrons; and in others, by special grant of the crown; agreeable to the custom observed in *France*, *Germany*, and other parts of *Europe*. The king, considering this only as an exterior rite, which did not affect the substance of the thing in question, thought that, by still retaining the patronage of churches, or rather the approbation of the persons chosen to fill them, if they were prelatical, he had made a very good composition with *Paschal*; who, in consideration of his quitting a meer ceremony, had allowed him the homages of his prelates, which Pope *Urban* had equally forbidden. He accordingly enacted in *Anselm's*⁴ presence before the whole assembly, that none should for the future be invested in any bishoprick or abbey with the ring and pastoral staff, by the king, or any other layman whatsoever; and then appointed persons to fill the vacant prelacies in *Normandie*, as well as *England*.

THE Pope, unable to carry every thing at once, but sure to do it by renewing his attacks in favourable seasons, was satisfied with laying a foundation for gaining in time all that he desired. For the rite of investiture being now acknowledged to be ecclesiastical, and as such unlawful to be used by the laity, the patronage of churches, to which it was appendant, came of course to be reputed of the same nature⁵: and with better reason, because the symbols used in that rite, agreeable to the *Saxon* fashions of delivering seisin of lands, were meant only to convey the possession of the temporalities; whereas the prelacy itself, or the government of the diocese and abbey, was conferred by the patronage or donation. The Pope arrogated to himself the supreme judicature in all ecclesiastical causes, and from the time that these were by the *Conqueror* separated from civil ones, and appropriated to the sole cognizance of an ecclesiastical authority, he had begun to get possession of that su-

¹ *Id.* p. 91. ² See *Selden's Not. in Eadmer.* p. 142, 144. *Inguif.* ³ *Mahnefb.* l. ii. c. 8.
⁴ *Eadmer.* ⁵ See *Cibon. Duxlaph.* ad ann. 1182.

HENRY I. premacy. He was likewise absolute in his power over monastic bodies: and the rules of each order being established by his authority, he had always claimed a like supremacy over them; which since the conquest, upon the introducing of exemptions of abbeys from the visitation and cognizance of the diocesan bishops, he had begun to exercise in this country. On these accounts, he became the *dernier ressort* in all cases, where either the church or monasteries were concerned, and the sovereign judge in all disputes about the election of prelates; which being now granted, as *Petrus Blesensis*¹ says, to all collegiate and capitular bodies², was considered as one of the principal points wherein the freedom of the church consisted: and not confining himself in his judgment to the laws, rules, or usages of *England*; but rather affecting to sacrifice these to others, established in the court of *Rome* for her own ends, his determination was not only final in the decision of such disputes, but he assumed a power of excluding both the contending parties, and of nominating whom he pleased, without any election, to prelacies. Hence appeals being brought from time to time to the court of *Rome*, with infinite expence to the parties, and to the great disturbance of the kingdom, the power of the crown in the patronage of prelacies was continually impairing; there scarce ever arising a dispute, that did not produce some considerable prejudice to the royal prerogative, which it was the interest of the papacy to diminish: and however it ended, the precedent still serving to open a way for other disputes; to affirm the usurpations of the court of *Rome*, and to aggrandize the papal jurisdiction.

A. D. 1108.

Henry redresses some grievances in *England*.

LVI. THE king having thus, by parting with one of the finest flowers in his crown, and sinking his sole absolute right in the nomination to prelacies into a bare approbation of elections made by others, put an end to the controversy about investitures, which had given him so much uneasiness, applied himself the year following to redress some grievances in civil matters, which were very burdensome to the nation. There was one which had taken rise in the time of his predecessor, though continued in his own; being an abuse of the right of pourveyance: which, agreeable to the customs of all nations in the world, the king enjoyed in *England*. By the civil law³, when any *Roman* magistrates passed through a province, the people of it were to supply them with victuals and provisions for their equipages. It appears by a rescript of *Theodosius* and *Valentinian*⁴, that when the emperors made a progress, all the places through which they passed were obliged to furnish them with carriages, provisions, money, and other services. The laws of the *Franks*⁵, *Ripuarii*, and other *German* nations required the people of the provinces of the empire to entertain the imperial *Missi*, or delegates, according to the dignity or quality of the persons: and the provincials were obliged to do the same when the emperors made their progresses. The like custom prevailed among the barbarous nations⁶, that remained in their original state of clans, and was termed among the *Irish*, *Co-sherry*; all the vassals of the chief of a clan, or sept, being bound in his journey to supply him and his retinue with lodging and victuals. There is no doubt but the like practice obtained among the *Saxons*: and was indeed so common, that the bishops and archdeacons, in making their visitations, put the clergy to insupportable expences in their entertainment, till such excesses were restrained by the canons of councils. One of the privileges⁷ granted by *William the Conqueror* to the abbey of *Ramsay*, was an exemption from carriages and pourveyance: and we see in the *Domesday survey*, among other services for lands, that for one or more nights en-

¹ *Contin. Ingulf.* p. 126.

Croiland. in *Conc. M. Brit.* t. i. p. 387.

³ *L. Julia De magistratib.*

ad l. x. Cod. Justinian.

² *Codex MS.*

⁴ *Cujac.* tit. 48.

⁵ *Bignon.* not. in

Manudj. l. i. 463. *Capit. Car. Mag.* l. iii. c. 39.

⁶ *Harleianus. Hib.* Sir *Jos. Davis* of the causes why *Ireland* was not reduced sooner.

⁷ *Speeman's Gloss.* v. *ANGARIA*.

tainment.

tainment. It is very likely, that the tenants on the demesnes of the crown were bound to furnish all these things *gratis* to the king and his retinue, when he made a progress; and that when those demesnes came to be alienated by grants to such a degree, that there was a necessity of procuring carriages and provisions from others not particularly obliged thereto by their tenures, the price of what these furnished was rated by the steward, or other great officer of the household, present in such progresses. In those of *Henry*, the followers of the court plundered every thing that came in their way without any restraint; wasting all the country through which they passed: some even sold in the market, or burnt, the superfluity of catables which they found in their lodgings; and either washed their horses heels with the liquors which they could not consume, or staved the vessels; to say nothing of the cruelties and indecencies, which they used to householders, their wives, and daughters. Hence all persons, when they heard of the king's coming, deserted their homes: and carrying off what provisions and goods they could, lurked in woods and other private places, till the court was removed. To remedy this grievance, *Henry*, by the advice of *Anselm*¹ and the nobility of the realm, ordered, by a proclamation, that whoever offended in the instances here mentioned, should be punished with the loss of his eyes, hands, feet, or some other member: and this being rigorously executed, soon put an effectual stop to such injuries. He redressed likewise another grievance, which lay heavy² on the whole nation, and of which he had received complaints in *Normandie*; the coin being debased and adulterated various ways, but chiefly by an alloy of two thirds tin to one of silver. Hence it would not pass abroad, and people refused to take broken money, though perhaps so served to discover the falshood of it; and the pennies in those days were, for the conveniency of change, contrived expressly to be easily broken into four parts. This he remedied by an ordinance, that no penny or half-penny should, if it were whole, be taken in payment; and that false coiners should, upon their conviction, have their eyes put out, and be castrated, without being allowed to compound for their offence, as was then frequently practised in other cases.

HENRY I.
A. D. 1108.

Anselm procures laws against the marriage of the clergy, and dies.

LVII. THESE reformations in civil matters were followed by what was then thought to deserve the same character in ecclesiastical. *Anselm*, ever vigilant to promote all the designs of the court of *Rome*: and knowing well how much she had at heart the celibacy of the clergy, which disengaging them from the natural ties that others have to their country, would render them more devoted to her will and interests, took occasion in the assembly³ of prelates and nobility at *Pentecost*, in the king's court at *Westminster*, to get some regulations made by both the ecclesiastical and civil authority, for the better observation of the canons lately made in the synod of *London* against the marriages of the clergy. It hath been already observed, that those canons had been eluded, and produced scarce any effect, but a pretence for the king to raise money; most of those who were married still retaining their wives, and others having married new ones since that synod. To put a stop if possible to these liberties, it was now provided, that all the married clergy, if they did not put away their wives immediately, should be suspended; and if they offered to officiate in divine service, should be excommunicated. These ecclesiastical censures were attended with a penalty of a civil or mixed nature; the incumbents of parishes, who offended against these ordinances, were to be deprived and disseized of their livings, which the law of *England* deems to be freeholds, as the archdeacons and deans were, of their dignities.

¹ *Eadmer*, p. 94.

² *Gul. Gemet.* l. viii. c. 23.

³ *Ib.*

HENRY I.

NOTWITHSTANDING these penalties, and the extraordinary precautions taken to have them duly inflicted, it doth not appear¹, that these new canons against the marriage of the clergy were better executed than the former: a neglect owing perhaps to the king's connivance, and the inattention of the civil magistrate; but generally ascribed (as well as the non-observance of that against the long hair of the gentry) to the death of *Anselm*; which happened on *April 21* in the year following. This prelate, all whose conduct, inspired by a blind zeal to aggrandize the papacy, was calculated to betray the rights of his own church, which had been ever² enjoyed by his predecessors (condescending to hold his primacy by a new tenure, by a grant and commission from the Pope) to give up the independency of the see of *Canterbury*, and to subject the church of *England* to the court of *Rome*, died in the seventy sixth year³ of his age, and the sixteenth of his pontificate. He had before his decease, upon *Robert* bishop of *Lincoln's* consenting to⁴ the dismembering of a part of his too large diocese, in consideration of the manor of *Spaldwic* in *Huntingdonshire* being assigned to him and his successors for a recompence, used his endeavours for erecting the see of *Ely*; to which *Hervey* bishop of *Bangor* was soon after translated. He had likewise been engaged in a dispute with *Thomas* elect of *York*; who declined, upon various pretences, coming to *Canterbury*, according to custom and the claims of this last see, to make the usual profession of canonical obedience, and receive his consecration from *Anselm*. *Thomas* was in hopes of eluding both these by obtaining a pall from the⁵ court of *Rome*: but *Anselm* knowing his project, had wrote to the Pope not to grant it, till the prelate elect had professed his due obedience; and till that was done, had inhibited by letters all the bishops of *England* from assisting at his consecration. A few days after his death, *Ulric*, a *Roman* cardinal, arrived with a pall for the church of *York*; which he was to deliver to *Anselm*, to be disposed of as he should see proper: and that unforeseen accident occasioning the matter to be brought into debate in the king's court of prelates and barons held at *Whitfontide*⁶, it was determined according to *Anselm's* mind, to which all the bishops unanimously adhered. *Thomas* was obliged to make under his hand and seal "a solemn profession of his canonical obedience and subjection to the church of *Canterbury*, to the primate of that church canonically elected and his successors," with a *salvo* however of his allegiance to the king; and another scarce ever heard of before in *England*, but very agreeable to *Anselm's* principles, of his *obedience to the church of Rome*. This profession was delivered to *Conrad*, prior of *Canterbury*, to be kept in the archives of his convent: and *Thomas* being consecrated by *Richard* bishop of *London*, received the pall afterwards at *York*, according to the determination of the king's council, from the hands of *Ulric*, who immediately after quitted the kingdom.

Henry marries
his daughter
to the emperor.

A. D. 1110.

LVIII. WHILST the king was holding his court for the decision of this dispute, some *German* princes came over, being sent by the emperor⁷ *Henry V*, as his ambassadors, to demand the princess *Maude*, then about eight years of age, in marriage. The articles being agreed on, and the young lady affianced, she was sent in *Lent* the next year to her husband, with a splendid equipage, and a vast sum of money for her fortune, raised by a tax of three shillings an hyde upon all lands in the kingdom. She was crowned empress on the *Whitsunday* following, by the archbishop of *Cologne*, assisted by his suffragans and the archbishop of *Treves*;

¹ *Eadmer*, p. 105, 106. *Anselm*, *epist.* l. iii. *epist.* 112. *Chr. Sax.* ² *Eadmer*, p. 73. *Concil. Al. Brit.* p. 377, 380. ³ *Eadmer*, p. 102. ⁴ *Ib.* p. 95. ⁵ *Ib.* p. 99, & seq. ⁶ *Ib.* p. 103, 104. ⁷ *Chr. Sax. Patr. Blefens. Contin.* p. 128.

who held her between his arms during all the ceremonies of her coronation. The emperor took great care of her education and to have her well instructed in the language and customs of *Germany*; which enabled her to ingratiate herself exceedingly with all the nobility of the empire: but having no children by him, she returned after his decease to *England*. Whilst his daughter was crowning at *Utrecht*, *Henry* held his court for the first time at *New Windsor* with great magnificence: but whatever satisfaction he received from this match, it was soon after allayed by the troubles in which *Normandie* came to be involved, the occasion whereof is now to be related.

HENRY I.
A. D. 1110.

LIX. THE king had, upon the¹ surrender of *Falaise*, committed his nephew *William*, son of his elder brother *Robert*, to the care of *Helie de St. Saen*; who had shewed so much affection to his pupil, that *Henry*, despairing of doing any thing against him whilst in the hands of so faithful a guardian, resolved to take away his charge, and to seize the person of the young prince; out of an apprehension, that upon his coming of age he might lay claim to the duchy of *Normandie*. The danger, suggested by these fears, was not immediate when the king formed this design, *William* not being above eight years old, and having been only two years under the care of *Helie*; when it was resolved to clap him up in prison, in a place of such security, that he should never be able to attempt any thing against his government. To execute this resolution, *Robert de Beauchamp* was sent with a party of horse to *St. Saen*, whilst the lord of the place was absent: and arriving there on *Sunday* morning, as the people were coming from church, put them into a strange surprize, and made them ask the meaning of his coming in that manner; which allowed time for *Helie's* servants to carry off the young prince, who was fast asleep, and to conceal him, till they delivered him to their master. *Robert*, vexed at failing in the principal point of his commission, seized the castle of *St. Saen*, which was given to *William de Warenne* earl of *Surrey*; and was rewarded himself with the vicounty of *Arques*, which had belonged to *Helie*, now stripped of all his estate without any offence, except his rare fidelity to the rightful heir of *Normandie*. This ill treatment did not lessen *Helie's* care in the education of his charge, or his zeal for the interests of the young prince, whom he shewed in all places; soliciting every body to espouse his quarrel: in which he was heartily seconded by *Robert de Belesme*, with whom he held a constant correspondence. Most of the *Normans* grew extremely fond of him as he improved in age: and by the time he was twelve years old, he had visited the courts of *France*, *Guienne*, *Burgundy*, and *Bretagne*, making friends in them all: but meeting no where with a more particular favour than from *Fulk* count of *Anjou*; who promised to give him his daughter *Sybille* in marriage, with the county of *Maine* for her fortune; having got possession of it this year, upon the death of the late count *Helie de la Fleche*, whose daughter he had married.

His precautions against troubles in *Normandie*.

HENRY seeing a storm gathering, and ready to burst upon his foreign territories, took all the precautions he could against it: and resolving to pass into *Normandie*, thought fit to provide against the excursions of the *Welsh*, by² removing a body of stout and hardy *Flemings*, who having been driven out of their own country by inundations of the sea, had been settled in the time of *Rufus* near *Carlisle*, from thence into *Pembrokeshire*, where they bravely defended and improved the country, continuing ever faithful to the crown of *England*. The king afterwards passed the sea in *August* in order to recover *Maine*, or at least to secure *Normandie* from the incursions of the *French* and *Angevins*. *Louis le Gros* was now on the throne

A. D. 1111.

¹ Ord. Vit. p. 8. ² Flor. Wig. Camden. Britan. in *Pembrokeshire*.

HENRY I. of *France*¹; he had, in the beginning of *Henry's* reign, passed some time at his court in *England*: and during his stay there, letters had come from his step-mother queen *Bertrade*, sealed with his father's signet, and desiring, upon some plausible pretence or other, that he might be arrested and put in prison. The letter being laid by the king before his council, it was judged an odious thing to arrest a young prince, come over on no ill design; and to make themselves the instruments of the queen's passions. *Henry* accordingly insinuating to *Louis* some of the ill designs against him, advised him to return home without loss of time: and sending rich presents to him and his retinue, the prince parted from him extremely satisfied, and by his unexpected return to *France*, broke all the measures of his enemies. This had created such a friendship between them, that when *Henry* made war upon his brother *Robert*, to drive him out of *Normandie*, *Louis* favoured him in that enterprize, contrary to the opinion of his father *Philip*, and all the maxims of a wise policy, which rendered it very improper for *France* to have so potent a neighbour in that country, as the king of *England*. *Louis* was not very sagacious: and being supplied with great sums of money, which *Henry* sent him from time to time by way of present, their good agreement lasted till the former succeeded to the throne of *France*²; when a quarrel arose between them upon the latter's seizing *Gisors*, in breach of an express stipulation between the two crowns, for sequestering the place in a third hand, and keeping it in a state of neutrality. A peace was however patched up for some time; till *Henry* assisting his nephew *Theobald*, count of *Blois*, in his revolt against *Louis*, a new rupture ensued: and the latter engaging the counts of *Flanders* and *Anjou* in his interests, and in support of the young heir of *Normandie*, *Henry's* presence in this last country became absolutely necessary to prevent a revolt.

THE king continued two years abroad, in war all the time with various success, but harassed by none of his adversaries so much as by *Robert de Belesme*; who took his son-in-law *Rotrou*, count of *Mortagne* or *Perche*³, prisoner, and treated him very harshly: but he found at last an opportunity of getting this enemy into his hands; which, though not very honourable, answered his purpose. *Belesme* lying in the dominions of *France*, *Robert* was a subject of that crown: and being sent by *Louis* on an embassy about a treaty and conference in order to an accommodation, came to *Bonneville* on the *Touque*; where as soon as he had delivered the propositions, with which he was charged, *Henry* caused him to be arrested. The pretence for this treatment of an ambassador was, that *Robert* having been summoned thrice to the court of his lord, of whom he held lands in *Normandie*, had not appeared, either to answer for his treasonable conduct, or to give account of those revenues of the duchy, which he collected in virtue of his offices: and not giving satisfaction on these heads, he was sent to *Cherbourg*, and from thence into *England*, condemned to a perpetual prison at *Warcham* in *Dorsetshire*. If a breach of the law of nations can be excused by the advantages attending it, *Henry* had reason to rejoice in the seizure of *Robert*; which extricated him for a time out of all his troubles: for having taken *Alençon*, one of this nobleman's strongest fortresses, and going on with success in his enterprizes, the king of *France* and the count of *Anjou* were glad to hearken to a peace, which was made on terms favourable enough to *Henry*; who was thereupon assisted by the latter of those princes in taking the castle of *Belesme*, which he reduced to ashes. By the articles of this treaty, *William* count of *Evreux*, *Amaury de Montfort*, and *William Crispin* were restored to their lands in *Normandie*; the count of *Anjou* was confirmed in the possession of *Maine* upon his doing homage for it to *Henry*, and pro-

¹ *Ord. Vit.* l. xi.² *Suger in Vita Lud. Grossi.*³ *Ord. Vit.*

mising to give in marriage to the latter's son *William*, that very daughter, which HENRY I. he had before either promised or affianced to *William* son of duke *Robert*. The pretence for dissolving this pre-contract was the consanguinity between the parties; *Fulk* count of *Anjou*'s mother *Bertrade* being great grand-daughter to *Robert* archbishop of *Roüen*; who was brother to *Richard II*, duke of *Normandie*, great grandfather to *Robert* the last *William*'s father: and yet there was exactly the very same degree of consanguinity between *Fulk*'s daughter and *William* son of *Henry*, with whom the new stipulation was made for a marriage. The young prince of *Normandie*, being now forced to quit *Anjou*, took refuge at last in the court of *Baldwin* count of *Flanders*; who generously assured him of his protection and assistance.

LX. THE king leaving *Normandie* in peace for a short time, returned into Eng- A. D. 1114. land: and in the spring following thought fit to fill up the see of *Canterbury*, after it had been vacant a few days more than five years; *Ralf*, bishop of *Rocheſter*, Ralf made archbishop of Canterbury and receives a pall from Rome. having ' all that while dedicated churches, and done other primatial acts throughout the province, without regard to the bishops of the dioceses, but probably by the appointment of the prior and monks of *Canterbury*. For this purpose, *Henry* summoned a great council of his prelates and nobility at *Windsor*, either to have their advice in the choice of a proper person, or perhaps by the weight of their authority to over-awe the monks of *Canterbury* in their election of an archbishop. The prior and monks, being sent for, were not a little pleased to be told on the road, that *Faricius*, abbot of *Abingdon*, was the person designed by the king: but this was opposed by the remonstrances of the bishops and some of the lay-nobility, who wished to have some bishop that had been a secular clergyman, or one of the king's chaplains, promoted to that dignity. This was a point which they were very earnest to carry: but the monks representing it as unreasonable to break, without any apparent necessity, through the general custom of the church of *Canterbury*, which used to be filled with *Regulars*, the bishops at last desisted from their attempt in favour of a *Secular*, and agreed to *Ralf* bishop of *Rocheſter*; who being on *April 26* elected by the monks, approved by the council, and confirmed by the king, was enthroned on *May 17* at *Canterbury*. *Henry* took care at the same time to fill up the other vacant prelacies throughout his kingdom: but filled them all with foreigners; no learning, wisdom, sanctity of life, and regularity of manners, virtue, or merit whatever, being able to advance a man to any dignity, if he lay under the disadvantage of being an *Englishman*.

THE king having thus settled the ecclesiastical affairs of this realm, made about midsummer an expedition into *Wales*, with such a number of forces as flattered him with hopes of making an entire conquest of the country. His troops entered it at three different quarters: but after all their ravages, he found himself under a necessity of making peace with the *Welsh* princes, to keep them quiet; whilst he passed at the latter end of *September* into *Normandie*, to get his son *William* ², then twelve years old, recognized for his successor by the nobility of that duchy, who all swore fidelity to the young prince and did homage. He returned thence about the middle of *July* in the year following, having first received letters ³ from the *Pope*, dated *March 30*, and *April 1*, and full of complaints, " that he would not " suffer either his nuncio's or briefs to enter the kingdom of *England*, without his " express license or orders; that no appeals or causes were allowed to be brought " from thence to the see of *Rome*; that little reverence was shewn to *St. Peter* in " his realm; and that *Peter pence* was so ill collected, that the church of *Rome*

¹ Eadmer, p. 109. ² Chr. Sax. M. Paris. ³ Eadmer, p. 112, 113, 115.

HENRY I. " had not received the half of what was due on that account ; that the weightiest
 A. D. 1115. " points in ecclesiastical matters, the causes of bishops, were determined, and
 " translations made of bishops from one see to another (as in the case of *Ralf*,
 " promoted from the see of *Rocheſter* to that of *Canterbury*) without the papal au-
 " thority or license, in contempt of the supremacy over all the churches of *Eu-*
 " *rope*," claimed by the see of *Rome*, in virtue of ſome paſſages in the ſpurious de-
 cretal epiſtles aſcribed to *Victor*, *Zepherinus*, and other Popes in the primitive ages,
 and forged purely to countenance her uſurpations. Theſe letters were brought by
Anſelm, a *Roman* abbot, in great favour with *Pafchal*, and neſhew to the late arch-
 biſhop of that name ; who being charged with a pall for the new archbiſhop,
 the king allowed him to proceed to *England*, to execute this laſt part of his com-
 miſſion. *Ralf* accordingly received it at *Canterbury*, on June 27, with great ſo-
 lemnity, in the preſence of a good number of biſhops, abbots, and noblemen ;
 having firſt made a profeſſion of canonical obedience and fealty to the *Roman* pon-
 tiff. *Anſelm* returned to *Rome* ſo well ſatiſfied with his reception here, that it en-
 A. D. 1116. couraged the Pope to ſend him back the year following, with a legatine authority,
 to exerciſe the papal juriſdiction in this kingdom : but the legate meeting the
 king in *Normandie*, was ſtopped from proceeding further.

LXI. HENRY had paſſed over thither ſoon after *Eaſter*², having firſt, in a great council of his prelates and nobles, aſſembled on *March* 20 at *Salisbury*, cauſed them all to ſwear fealty, and to do homage to his ſon *William*, as his ſucceſſor in the throne of *England* : and laid heavy taxes on the nation to defray the vaſt expences of his wars in *Normandie*. Theſe were owing to the ſuccours³ of troops, that the king had furniſhed to ſupport his nephew *Theobald* count of *Blais* in a new revolt againſt the crown of *France* : which was ſo reſented by *Louis le Gros*, that he openly eſpouſed the intereſt of *William* ſon of *Robert*, and ſent to *Henry* to demand, that the young prince's father might be ſet at liberty. He did not expect a compliance with a demand of ſuch a nature : and had taken care to make a league with the counts of *Flanders* and *Anjou*, to have their aſſiſtance in the war he deſigned ; which was declared upon *Henry's* reſuſal. Theſe three princes invaded *Normandie* in three different quarters, on the ſide of their reſpective territories : and did the more miſchief, becauſe they were joined by ſeveral of the moſt conſiderable nobility. *Amaury de Montfert*, ſiſter's ſon and heir to the late count of *Evreux*, had been reſuſed his uncle's ſucceſſion : and took up armes to recover the poſſeſſion of his inheritance. *Hugh de Gournay*, the counts of *Eu*, *Aumale*, and *Breteuil*, *Richier* baron of *l'Aigle*, *Reginal de Bailleul*, *Robert de Newbourg*, with abundance of other noblemen, declared in favour of *William's* right to the duchy during his father's imprifonment. Theſe troubles laſted ſeveral⁴ years, to the general deſolation of the country and the great diſquiet of *Henry*, who knew not whom to truſt ; the *Normans* in general, and even thoſe who ſtill continued about his perſon, being ſtrongly attached to the intereſts of his adverſary, and a conſpi-
 racy⁵ formed againſt his own perſon by one of his favourites and ſome officers of his bed-chamber. He had ſeized the perſons of ſome that he ſuſpected, and had confined *Hugh de Gournay* and *Henry* count of *Eu*, till they delivered their caſtles into his hands : but though he had endeavoured to oblige the former by a reſtitution of his, they both took up armes againſt him, as ſoon as they were out of his power. In theſe difficulties, ſcarce daring to employ the *Normans*, his forces conſiſted chiefly of⁶ *Engliſh*, and ſuch troops of *Bretons* as he took into his pay ; and with

¹ *Chr. Arab. f.* *Chr. 7. Abb. de Petriburg.* ² *Eadmer*, p. 117. ³ *II. Hunt.* l. vii. *Chr. Sax.*
⁴ *Ord. Lit.* l. xii. ⁵ *Suger in vita Lud. Groſſi.* ⁶ *Annales Harverl.*

these he carried on the war with various success; though generally to his own disadvantage, through the defection of his soldiers and officers, who frequently betrayed him, deserted to the enemy, and delivered up their castles.

EVREUX had been surprized and delivered to *Amaury de Montfort* : nor could any offers of the quiet possession of that place, and the county about it, draw him over to *Henry's* party in the bad situation of his affairs. The *French* had taken *l'Aigle* : and the king, with the count of *Blois* , attempting to recover the place, had like to have lost his life, and was forced to raise the siege. The count of *Anjou* had invested *Alençon* : and having defeated *Henry* , as he advanced to the relief of the place, took it, with several other fortresses in the neighbourhood. *Baldwin* count of *Flanders* made such terrible havock in the county of *Eu* and *Pais de Caux* , that the king was provoked to send him a message, that " if he continued his ravages in that manner, he would march in person at the head of an army to waste his country as far as *Bruges* ." The count returned him a smart answer, that " he would save him the trouble of so long a march, and would soon have the honour of making him a visit at *Rouen* ." He kept his word: and advancing under the walls of the place, challenged *Henry* to a battle; which he durst not accept, nor offer to make a sally, whilst the walls of his deer-park were demolishing, and the suburbs of the town plundering; so that the count, contenting himself with this insult, retired.

SOME lucky events however enabled the king at last to get over all his difficulties. *Baldwin* , in an engagement with a body of *Bretons* near *Eu* ², received a dangerous wound in the face from the lance of *Hugh Boterel* : and having languished of it for some months, died the year following in *Flanders* ; being succeeded in his dominions by *Charles* , son to *Canute* king of *Denmark* . *Enguerrand de Châumont* , an active and brave commander, who had surprized *Andely* , and kept all the country as far as *Rouen* in continual alarms, chanced to die about the same time, of sickness. But nothing was of such great service to *Henry* , as the gaining of *Fulk* count of *Anjou* , by the force of money, and the marriage of his son, (now grown up to a proper age for performing the contract between them) to the count's daughter. Thus freed from the diversions, which employed a great part of his forces on the side of *Anjou* , *Maine* , and *Flanders* , he was able to unite them all together in a body, and to march for the relief of *Noyon* , a castle three leagues from *Andely* ; which *Louis le Gros* had formed a design of surprizing. His march was so secret as well as sudden, that he came up³ with the *French* as they were marching in great security, and so little order, that they had scarce leisure to draw up their *Avant-garde* in battle-array, before the attack began. Their van was commanded by *William* son of duke *Robert* ; who being ordered to sustain the first shock of the enemy, whilst the rest of the army was putting in order, did it with so much bravery and intrepidity, that he not only broke the van of the *English* ; but pursuing his advantage, pierced their main body commanded by the king in person; all whose efforts could not keep it from breaking. Here it was that *Henry* had occasion to shew his courage, to save himself from an imminent danger: he had received on his head from *William Griffin* , a gallant *Norman* for-
merly mentioned, two strokes of a sabre, given with such force, that notwithstanding the goodness of his helmet, they made a wound, at which issued abundance of blood, and he was staggered by it for some time; but coming to himself, struck *Griffin* down from his horse, and took him prisoner. Had the young *Norman* prince's efforts been well seconded, the victory on his side would have been certain: but the *French* , instead of improving his success by redressing the disorder

HENRY I.
 A. D. 1117.

A. D. 1118.

A. D. 1119.

¹ Ord. Vit. ib.

² Chron. Sax.

³ H. Hunt.

HENRY I. which their march had occasioned, were flattered by it to fall into a greater, and to advance hastily in a wild confusion against the enemy; thinking of nothing but slaughter and plunder. In this condition, they were attacked by the rear of the *English*; which, composed of the best of their foot, had not yet fought, and soon turned the fate of the day; the *French* flying in such an hurry that it was impossible to rally them, the king himself being dragged along by the runaways, unhorsed in the press, and forced to trust himself to an unknown peasant, in order to make his escape on foot through woods and bye-ways to *Andely*. Such was the issue of this battle fought in the plain of *Brenneville*, near the castle of *Noyon sur Andelle*, highly to the glory of the king of *England*; but with no great disadvantage to the *French*: who fled too hastily to lose many, and rendezvousing at *Andely*, found themselves near as numerous as before; and *Louis* having received a reinforcement, defy'd *Henry* to a second engagement, which the latter thought fit to decline.

THE king of *England* dismissed all the prisoners, except about an hundred and forty knights; sent to *Louis* his horse and furniture which were taken¹; and persuaded his son to send back his cousin-german *William's* palfrey, with some presents of other necessaries fit for a person in exile; politicks prompting him to an act of politeness, which greater minds would have done out of generosity. The king of *France* afterwards took *Chartres* from the count of *Blois*², and reduced the strong fortrefs of *Jury*: whilst *Henry* employed his troops to bring the *Normans*, struck with terror at his victory, to obedience. Whilst the war was thus carrying on³, Pope *Calixtus II*, coming into *France*, held a council at *Reims* in the latter end of *October*, and when it broke up made a visit to the king of *England* at *Gisors*; offering his mediation for a peace between the two crowns and their allies. Both the kings were by this time weary of the war: and willingly hearkened to an accommodation; which was concluded the year following, the places taken on both sides being restored; the prisoners released; and *Louis* granting *Normandie* to *Henry's* son *William*, to be held as a fief of the crown of *France* upon his performance of homage. The count of *Flanders* and the revolted *Normans* were included in this treaty: but no provision was made for prince *William* son of duke *Robert*; who was however much esteemed and beloved by *Louis*, and received from him, a few years after, very signal marks of his friendship.

Thurstin recovers the independency of his see of *York*.

LXII. THE entire pacification of *Normandie* was the natural consequence of this treaty; a service of great importance to *Henry*, and which he had so much at heart, that he easily forgot his resentment at a step, that the Pope had taken in the abovementioned council. When the king, about *A. D.* 1115, filled up the vacant prelacies in *England*,⁴ *Thurstin*, one of his chaplains and secretaries, had been elected to the see of *York*: and presuming upon his interest at court, revived the old dispute between the two metropolitical sees; declining to make any profession of canonical obedience to the archbishop of *Canterbury*. The dispute had lasted near a year; when *Ralf*, meeting *Thurstin*⁵ at the great council of *Salisbury*, required him to come to *Canterbury* for receiving consecration, and making the usual profession of his predecessors: but the elect of *York*, instead of complying with this summons, sent agents to *Rome* to procure by money, the prevailing argument in that court, a dispensation from such an act of humiliation; to which the chapter of his see were infinitely averse. The king was incensed at this proceeding: and gave him to understand, that he must either comply in the profession of obedience

¹ *Ord. Vit.* p. 855.

² *Suger.*

³ *Eadmer*, p. 124.

⁴ *Ib.* 110. *Stubbs*, col. 1714.

⁵ *Ib.* 117.

to *Canterbury*, as his predecessors had done, or else renounce his archbishoprick. *Thurstin*, pushed on by his clergy, chose the latter party: but finding himself less considered afterwards, soon repented of what he had done, and followed the king abroad to sollicite the being restored to his prelacy¹. The chapter of *York* likewise sent agents to *Rome*, to plead in his behalf: and succeeded so far, that *Paschal* wrote to the king in favour of *Thurstin*; insisting on his being restored, and undertaking to do justice between the two churches in the dispute about their privileges. This Pope dying soon after, and his successor, *Gelasius II*, not filling the papal chair above a year, the affair seems to have slept till *Calixtus* held the general council of *Reims*: at which four *English* bishops assisted²; setting a precedent to aftertimes for sending the same number out of *England* on the like occasions. Thither also *Thurstin* went; having got leave from the king, upon a solemn promise, that he would neither receive consecration from the Pope, nor sollicite him for any thing to the prejudice of the see of *Canterbury*. The king sent *Sieffred*, archbishop *Ralf*'s brother, to the pontiff, to acquaint him with the dispute, "and press him neither to consecrate *Thurstin*, nor allow him to be consecrated by any other, but the primate of *Canterbury*; and if he was not gratified in this request, he would never suffer that prelate *elect* to live in his dominions; a resolution which no consideration upon earth should make him violate." The Pope promised to act as the king desired³: yet on the *Sunday* before the council opened, and before the *English* bishops arrived, he consecrated *Thurstin* (notwithstanding a protest publicly made, in the presence of a great number of bishops, by *John* archdeacon of *Canterbury*⁴, in behalf of the rights of that church, against the injustice of this proceeding) and gave him the pall twelve days after. *Henry*, upon this, forbade *Thurstin* to return into *England*, *Normandie*, or any other part of his dominions: but the Pope, in his visit to the king at *Gisors*, using strong instances in his behalf, and offering to absolve *Henry* from his vow of not suffering that prelate to set foot in his territories, the king was at last so far mollified, as to allow *Thurstin* to be restored to his see, upon his first making the usual profession of obedience to the archbishop of *Canterbury*. Whether *Thurstin* depending on his favour with *Calixtus*, did not care to submit to this condition⁵, he continued abroad till the beginning of the year 1121; when by his money he obtained letters from the Pope, menacing the king with excommunication, *Ralf* with suspension, and the kingdom with an interdict, if *Thurstin* was not, within a month, put in possession of his see, without making any profession of obedience. Things being come to this extremity, the great council of the realm, then assembled, thought it proper to permit his return into *England*; provided he went straight to *York*, without being suffered to celebrate divine service any where out of his own diocese, till he had made satisfaction to the church of *Canterbury*. It doth not appear, either that he made such satisfaction, or that any of his successors ever made the profession of canonical obedience to the see⁶ of *Canterbury*, which was first exacted by *Lanfranc* after the death of *Aldred*: but the church of *York*, from this time maintaining its independency, had, a few years after, some suffragans⁷ assigned to it; over whom it exercised a primatial authority.

LXIII. THE king, though he had made peace with *France* in the beginning of the year 1120, still continued abroad; taken up with settling the affairs of *Normandie*.

HENRY I.
A. D. 1119.

A. D. 1120.

The Norman nobility swear to the succession of prince William, who is soon after drowned.

¹ *Ib.* 119, 120, 124, 126. ² *Seldeni Not.*
³ *Eadmer*, p. 213. ⁴ *Angl. Sac.* i. 70

⁵ *Stubb's Acta Pont. Ebor.* col. 1715.

⁶ *Eadmer*, p. 136. *Hoveden*. ⁷ The bull of Pope *Honorius*, in the year 1215, exempted the archbishops of *York* from making that profession, and

from being subject to the jurisdiction of the church of *Canterbury*, putting both the primates on an equal foot, without any precedence, but what should arise from the priority of the consecration of either. *Concil. M. Britan.* t. i. p. 407.

⁷ *Stubb's* col. 1718, 1719.

HENRY I. *mandie*, and making the nobility of the country repeat their oath of fealty, and renew their homage to his son, now in the eighteenth year of his age: but at last, on *November 25*, in the evening, setting sail from *Barfleur*¹ with a fair wind, he arrived the next morning in *England*. *Thomas Fitz Stephen*, whose father had carried *William the Conqueror* thither in his expedition against *Harold*, had fitted out a very good new ship, in hopes of doing the same office to *Henry*: but the king having ordered it for his son's passage, the seamen waited upon the prince, and asking for something to drink, had three hogshheads of wine given them; with which they regaled themselves too freely. All the young nobility were fond of attending prince *William*; and near three hundred of them went on board with him: but they were so disorderly in their behaviour, and the ship was so much crouded with them, that *Stephen* count of *Mortain*, the king's nephew, *William de Roumare*, *Rabel* the chamberlain, *Edward de Salisbury*, and a great many others quitted it, and went on board another vessel. The prince was very eager for overtaking the king's fleet, which was got a good way a head. *Thomas* undertook it, trusting to his seamen; but they were drunk, and himself not a little flustered: so that they heedlessly struck on a rock, called the *Catte-raze*, being visible only at low water, and lying a little way out at sea, and the ship was shattered in pieces. Prince *William* had got into the long boat; and might, in all probability, have escaped, had not the cries of his natural sister, the countess of *Perche*, made him order the seamen to row back to the ship to take her in: but in doing this, such a number of others leaped into the boat with her, that being overloaded, it sunk immediately. With these, perished *Richard*, one of the king's natural sons, *Richard* earl of *Chester*, and his brother *Ottuel*, with *Geffrey Ridel*, *William Bigot*, and above an hundred and forty young noblemen of the first quality and chief officers of the household; the onely person saved of those that were on board, being *Bertoud*, a butcher of *Roüen*; who holding fast by the mast, was taken up in the morning by fishermen. *Geffrey*, son of *Gilbert de l'Aigle*, caught hold of the same mast: but being a boy, weak, and benumbed with cold, dropped off before day-light appeared. *Thomas*, the master of the vessel, after being under water, and swallowing enough of it to qualify his wine, recovered himself; swam to the two persons he saw clinging to the mast; asked them what was become of the prince? and being told that he was drowned, said he would not live, and sunk immediately. *Roger* bishop of *Coutances* (whose son *William*, one of the king's chaplains, was on board the ship) with many others on the shore, heard the shrieks of the affrighted sinking persons, but knew not the meaning thereof till the next day: nor did the king know of it till three days after, though the same noise was heard in his ship, and on board other vessels in his company. That which was wrecked being weighed up by the inhabitants of *Barfleur*, the treasure and all the goods put on board it were found: but not so much as a single corpse; only the earl of *Chester's* was driven ashore some time after, at a great distance from the place of the shipwreck.

SEVERAL historians² consider this disaster, as a judgment upon the prince, and many of the young nobility that perished with him, on account of the vices; particularly that of unnatural lewdness with which they were infected: and the *English* had the less reason to lament it, because *William* had an utter aversion to them, and had been rash³ enough to declare openly, "that whenever he came to the crown, he would make them draw the plough like oxen;" such was the return he proposed to make them for contributing to his father's usurpation. It

¹ *Ord. Vital.* p. 867, 868, 869. *M. Paris.* *W. Malmesb.* ² *Ord. Vital.* *M. Paris.* *Knighton*, col. 2381. ³ *Ib.* col. 2382. *Brompton*, col. 1013.

was certainly a very fatal accident to *Henry*; who, in the height of his satisfaction for the pacification of *Normandie*, saw all the measures, he had been taking for the quiet of that country, undone in a moment, and himself deprived of the best support of his government in *England*; where the succession becoming uncertain, the inclinations and interests of the great men, varying in regard to those that might pretend to it, lessened their attachment to their present sovereign; and the views, as well as hopes, of his subjects were carried out of his family, and ought naturally to be fixed on the son of his elder brother; a young prince, whose virtues had gained him the affections and esteem of all that knew him, and had already made him the darling of the *Normans*. The king, for a few days after his landing at *Southampton*, flattered himself with hopes, that his son had put into some other *English* port: but when the news was broke to him, he was so struck with it, that he fainted away; yet coming soon to himself, he thought it best to cover his grief, and seemed to bear the loss with extraordinary patience. The calamity itself afforded him one advantage, which he improved for the service of his affairs¹; disposing of the honours and estates that fell into his hands by the death of so many of the nobility, and bestowing their widows, daughters, and sisters among his courtiers, and such as were most likely to establish his interest in *England*. But this provision was not adequate to the evil: his daughter *Maude* was married to the emperor, and in a distant country abroad; the *English* and *Normans* were alike averse to a foreign government; and it behoved him to take some further precautions against the mischiefs of a disputed succession.

HENRY I.
A. D. 1120.

LXIV. WITH this view the king called a great council of his prelates and nobility on *January 6*, at *London*: and by their advice resolved to marry *Adelais*², daughter of *Godfrey*, duke of *Lovain*, or the *Lower Lorraine*; who was soon after brought over, and the nuptials were solemnized at *Windsor*. This castle lying in the diocese of *Salisbury*, the bishop of that see claimed the right of performing the marriage ceremony: but it was adjudged to the archbishop of *Canterbury*; the king and queen being, by ancient usage, deemed his proper parishioners, and under his peculiar care, wherever they were throughout the whole island; and his province extending to all the dioceses of the other bishops, who derived all their authority from his consecration. To avoid all pretences of renewing the like claim for the future, *Ralf*, being very infirm, so as not to be able to do the office³ himself, excluded the bishop of *Sarum*, and ordered the bishop of *Winchester* to officiate at the marriage. The queen was crowned the next day, being *Sunday, January 30*; when an accident happened, which gave occasion to the archbishop to exert himself in a pretty rough and extraordinary manner, for supporting another right of his see of *Canterbury*, in relation to the performing of divine service, and putting of the crown on the king's head; not only at the solemnity to which the term of coronation is usually appropriated, but at all other times, whenever he wore it in his court of barons at the great festivals. It was on one⁴ of these latter occasions, at the *Christmas* after *Anselm's* death, that the archbishop of *York* attempted to invade it: but being opposed by *Richard* bishop of *London*, who, in the vacancy of the see, asserted it to be his right, as dean of the church of *Canterbury*, it was adjudged to the latter; who accordingly put the crown on the king's head, led him by the right-hand into the church, and officiated at divine service. At the queen's coronation, archbishop *Ralf* resolved, notwithstanding his weakness, to officiate himself: and observing after the introit was said, and he was going to begin the service, that the king was sitting on his throne with the crown on his head, though

A. D. 1121.
The king
marries *Adelais* of *Lovain*.

¹ *Ord. Vit.* p. 871. ² *Eadmer*, p. 136. ³ *Ib.* 137. *Gervaf. Cant.* col. 1661. ⁴ *Eadmer*, p. 105.

HENRY I. he had neither put it on, nor could it be done rightly by any other in his presence, he retired from the altar, and going to his majesty, who rose up to him, asked, *A. D. 1121.* “who had put the crown upon his head?” The king, a little out of countenance, replying modestly, “that it was done in an hurry, and he had not minded, or at least had forgot who put it on:” *Ralf* said, “it was done illegally, and in prejudice of his right, and whilst it was thus upon his head, he could not go on with the office.” The king had the goodness to satisfy the archbishop in his stiffness, and bidding him, “since it was not rightly put on, to do what he thought proper; for he should not oppose him.” *Ralf* loosed the loop by which the crown was fastened under his chin to keep it from tottering on his head, and having taken it off, put it on again with his own hands: and then went on with the office of the queen’s coronation.

Expedition
into *Wales*,
and election
of *William* to
the see of
Canterbury.

LXV. THE king now began to feel some of the unhappy effects of the late shipwreck; the death of the valiant earl¹ of *Chester* encouraging the *Welsh* to invade *Cheeshire*, where they burnt two castles, and took a great booty. *Henry*, to revenge this insult, raised a powerful army, and marched in the summer into *Wales* as far as the mountains of *Snowdon* in *Carnarvonshire*: but there meeting with unsurmountable difficulties, and having been himself in danger of being killed by the stroke of an arrow, which was repelled by the goodness of his armour, he thought fit to make peace with *Griffith ap Conan*, prince of the country, upon the receipt of a thousand head of cattle, either by way of present, or of compensation for the damages done in *Cheeshire*, and of hostages for performance of the treaty.

THE evil consequences of the death of the prince did not begin to appear till *A. D. 1122.* the year following, when there happened likewise another event; which deserves notice: because it shews what share of power still remained to the crown in the donation of prelacies. *Ralf*, archbishop of *Canterbury*, dying² after a lingering *A. D. 1123.* illness on *October 20*, the king, about the *Candlemas* following, called a council of his prelates and nobility at *Gloucester*, to consider of a proper person to succeed him: some of the monks of *Canterbury* were likewise summoned thither, either to elect, or admit and receive the successor. When the council met, the king desired the bishops to agree in a fit man to fill that dignity, and he would approve whomever they recommended. The bishops, at the instances of *Roger* bishop of *Sarum* and *Robert* of *Lincoln*, and in a sense of the inconveniencies arising from monks, ever attached to the interests of the papacy, being put at the head of the church of *England*, desired leave to recommend a secular clergyman; which was readily granted. The prior and monks of *Canterbury*, throwing themselves at his majesty’s feet, and remonstrating against the indignity offered to their profession, in this deviation from what, they pretended, was the ancient practice, begged hard for one of their order to be chosen: but they were neither gratified in this request, nor in another which they made for time to consult their convent, and the bishop of *Rockester*; who was hindered by an indisposition from coming to the council. At last, after holding out two days, and in dread of the excommunication³ with which the bishops threatened them; out of the four secular clergymen named to them for their electing one of the number, the monks made choice of *William de Corboil*, prior of the canons of *Chiche*; who was immediately confirmed by the king, and accepted by all the bishops for their primate. *Thurstin* of *York* offered to consecrate the new archbishop; but not consenting to own him for primate of all *England*, his offer was rejected: and *William* was consecrated⁴ at *Canterbury*, on

¹ *H. Malmesb. H. Hunt.* ² *Eadmer*, p. 141. *Angl. Sacr.* 1. 7. *Chr. Sax. Gervaf. Cant.* col. 1661. ³ *Sim. Dun. De gest. reg. ann.* 1123. ⁴ *Angl. Sacr.* 1. 110. *Gervaf. Cant. Chr. Sax.*

Sunday, February 18, by *Richard* bishop of *London*, assisted by those of *Winchester*, *Rockester*, *St. David's*, and *Sarum*. He set out soon after in *Lent* for *Rome*; and though the Pope disliked, and at first scrupled his election, because he was not a monk, money at length made all matters easy: and he returned with his pall into *England*; having first sworn to be subject to the Pope in every thing that he required.

LXVI. NOT long after his election, the king found himself obliged to leave *England*, the government whereof he entrusted, during his absence, to *Roger* bishop of *Salisbury*, and to pass over into *Normandie*; where a conspiracy had been carrying on some time in favour of *William*¹, son of duke *Robert*. It was supported by *Fulk* count of *Anjou*; who finding upon his return from *Jerusalem* in *A. D.* 1121, that his daughter was left a widow by the death of *Henry's* son, had required her to be sent back to him; which was done without any difficulty or delay: but when he demanded afterwards to have the lands and castles he had given for her fortune restored, being denied in that point, he was highly incensed against *Henry*, and inviting the young *Norman* prince to his court, promised him his daughter *Sibyle* in marriage, with the county of *Maine*, till he recovered possession of the dutchy of *Normandie*. Encouraged by *Fulk's* assistance, *Walleran* count of *Meulant*, *Amaury* count of *Evreux*, *William de Roumare*, *Hugh de Montfort*, *Hugh de Neufchatel*, *William Louvel*, *Balderic de Bray*, and *Poyen de Gisors* met in *September*, *A. D.* 1122, at *La Croix S. Leuffroy*, to concert measures for driving *Henry* out of *Normandie*, and putting the dutchy into the hands of his nephew *William*. Resolving to draw in as many of the *Norman* barons as they could into their party, they did not take up arms till the next year, after *Henry* came over, and they found he had got some information of their conspiracy. This discovery forcing them into the field before they were prepared with sufficient forces for a war, *Henry* soon made himself master of *Montfort*, *Pont-Audemer*, and some other places: but the war was carried on afterwards with various success till *March* 25, in the year following. On that day the counts of *Meulant* and *Evreux*, *Hugh de Montfort*, *William Louvel*, and *Hugh Fitz Gervase*², passing carelessly with a small party from *Beaumont* to *Vatteville*, were surprized by *William de Tancarville*³, the king's chamberlain, at the head of a much stronger body of troops assembled out of the neighbouring garrisons: and were all taken, with twenty-five of their knights, except the count of *Evreux* and *Louvel*, who escaped by the favour of those, that had taken them prisoners, and chose rather to run their fortune, than deliver them into the power of *Henry*, from whose implacable temper no mercy was to be expected. The taking of the count of *Meulant* was followed by the surrender of his castles of *Briofne*, *Vatteville*, and *Beaumont le Roger*: and was of great service to *Henry* in other respects. It prevented several revolts that were designed; it put the count of *Evreux* and *William Louvel* upon making their peace with him: and the count of *Anjou*, in despair of success, dismissed prince *William*; his marriage or contract with *Fulk's* daughter being first annulled by the Pope at the instance of *Henry*, whose queen *Adelais* was niece to the pontiff by *Clemence de Bourgogne*. But the young prince finding a protection in the court of *France*, and *Louis le Gros* giving him his queen's sister in marriage, with *Pontoise*, *Chaumont*, *Mante*, and all the *Vexin François*; and supplying him with a body of troops, to enable him to advance his affairs in *Normandie*, the troubles of that country were not likely to be soon over.

In the mean time a general discontent reigned over *England*, on account of the intolerable load⁴ of taxes laid upon the people to support this foreign war, the

¹ *Ord. Vit.* l. xii.² *Chr. Sax.*³ *M. Paris.*⁴ *Chr. Sax.*

HENRY I. excessive price of all sorts of grain, and the terrible inconveniencies arising from the coin's being adulterated to such a degree, that a pound of it would scarce buy twelve pennyworth of goods in a market. The unjust severity of the king's justiciaries was another subject of complaint; an instance whereof is given in *Ralf Basset's* condemning in a court of barons forty-four men to be hanged for robbers, and six others to be deprived of their eyes and testicles. Upon this occasion our old historians remark, that many of these were punished unjustly, and lament the hard case of the common people, oppressed against all right, first robbed of their substance, and afterwards of their lives; those that had any thing to lose, being stripped of it by heavy taxes, and such as had not, being ready to die of famine. One of these evils, from which his soldiers suffered abroad, where the *English* money would not pass for more than its intrinsic value, the king took care to redress; sending orders from *Normandie* for cutting off the right-hands and the testicles of all the coiners of money throughout *England*. *Roger*, bishop of *Salisbury*, upon receipt of these orders, summoned them all to attend him at *Winchester*: and when he had got them together, calling them out one by one, executed his orders very punctually. Though this seems to have been done without any form of trial, they were so universally thought to deserve their fate: and so great and extensive were the mischiefs of their false coining, that their punishment was very acceptable to the nation.

Cardinal *de Crema* sent legate into *England*.

LXVII. IN this situation of the king's affairs, *John de Crema*, a cardinal priest, came to him in *Normandie*; being sent by Pope *Honorius II* (who had, at the latter end of the precedent year, succeeded *Calixtus* in the see of *Rome*) in the quality of his *legate a latere*, to visit *England* and *Scotland*, and execute his legatine powers in both countries. Former Popes had made several attempts of this kind in order to bring the church of *England* into an entire subjection to their authority: but had hitherto been disappointed in their measures. Thus in *A. D. 1101*, *Guy*¹, archbishop of *Vienne*, had been sent over as legate of all *Britain*, to the amazement of all the world; it being a thing unheard of, that any body should pretend to exercise a supreme ecclesiastical authority in this nation, besides the archbishop of *Canterbury*; who, at that time, was *Anselm*, a prelate above all others devoted to the papacy: but he was obliged soon to return, without being received by any body as legate, or exercising any act of his legatine office. In *August, A. D. 1116*, *Anselm*², abbot of *S. Sabas* at *Rome*, came to the king in *Normandie*, with a like legatine power to be exercised in *England*: but was not suffered to enter the kingdom. This was the same person, who the year before had brought the Pope's letters to the king and bishops, complaining of the little respect there shewn him, of no appeals coming thence to *Rome*, and of the non-exercise of the *papal* jurisdiction in that realm by his legates; which he claimed a right of sending into all countries to exercise his authority. These complaints, with what had been done a little before in *France*, where cardinal *Cono*, in virtue of his legatine powers, had held councils, and suspended the bishops of *Normandie* for not attending at them, alarmed the prelates and nobility of *England* with such apprehensions, that they thought it proper to send over archbishop *Ralf*, whose authority was chiefly struck at by these measures, to the king in *Normandie*, and from thence to *Rome*, to remonstrate against those innovations, and prevent the like encroachments on the rights and independency of the church of *England*. *Ralf* coming to *Rome*, when the Pope, driven thence by the emperor's forces, was retired to *Benevento*; and not being able to wait upon him in person, was forced to treat of the matter by his agents: and

¹ *Eadmer*, p. 58. ² *Ib.* p. 116, 118.

Paschal, in distress, thought it proper to speak a smooth language; to promise redress in general terms; and to assure the king and *English* bishops by his letters, that he would preserve the primacy of the see of *Canterbury* entire and inviolate. Pope *Calixtus*¹ had afterwards, at *Gisors*, in the year 1119, promised *Henry*, that he would never offer to violate any of the rights and customs which his father had enjoyed either in *England* or *Normandie*, nor suffer any one to exercise a legatine authority in *England*; unless the king himself desired it, for the deciding of some cause, which could not be terminated by the archbishop of *Canterbury* and the other bishops of the kingdom. *Calixtus* was at that time under difficulties, contending for his dignity² with the anti-pope *Gregory*; who had been set up in the time of his immediate predecessor *Gelasius*, and was supported by the power of the emperor: but having, in the year 1121, taken his rival prisoner, and shut him up in a convent, he thought himself at liberty to exercise all his papal authority without any reserve; and forgetting his solemn promise to *Henry*, sent *Peter*, a monk of *Cluny*, but of the noblest family about *Rome*, with legatine powers over *France* and the *British* islands. This legate, coming into *England*, was brought to the king, without being suffered to be a burden to any church, or to lodge in any monastery by the way: and when he had given an account of the cause of his coming, *Henry* told him, “that he was going on an expedition into *Wales*, and had not time to consider a matter of such weight, since the authority of his legation could not take place without the consent and confirmation of the prelates and nobility in a great council of the nation; and besides, he could not give up the ancient rights and customs of *England*, which the Pope himself had allowed; one of the principal whereof was, that the realm of *England* was free, and not subject to any legatine authority and jurisdiction.” *Peter*, satisfied with this answer, and pleased with the honourable reception and great presents made him by the king, declared, he would not offer to derogate in the least from his ancient dignity: and returned without exercising in this realm any act of his legatine authority. *Henry*, a Roman abbot³, was afterwards, in the year 1123, sent into *England* with the character of legate: but it was only for the collecting of *Peter-pence*; which our kings never opposed.

Thus free from the legatine jurisdiction did *England* continue, till the year 1125; when the cardinal *de Crema*, waiting upon the king in *Normandie*, at a time when his apprehensions with regard to the disaffection of the people of that country, and the designs of his nephew *William*, were at the height, and his subjects in this kingdom were in a deplorable and complaining condition, got leave to pass over into *England*. He was at his arrival well received by the archbishop at *Canterbury*: and being there on *Easter day*⁴, though he was only in priest's orders, officiated at divine service in the archbishop's place, sat⁵ in the highest seat, and wore the pontifical habit, to the great amazement and indignation of numbers of persons; who saw with grief this insult on the liberties of the church of *England*, and knew very well that from the first conversion of the *English* nation, the archbishops of *Canterbury* had always been deemed and acted as primates and patriarchs, and were never before subject to the jurisdiction of a papal legate. This cardinal had it in his commission to enquire into the controversy between the archbishop of *York*, and the *Scotch* prelates that refused to acknowledge his primacy: and making a progress into the north, as far as *Roxburgh*, had there a conference with *David* king of *Scotland* on the subject. Upon his return thence he presided in a general synod of the prelates and clergy of the whole nation, called together⁶ by the mandate of

¹ *Ib.* p. 125.² *Ib.* p. 137, 138.³ *Chr. Sax.*⁴ *Ib.*⁵ *Gerqas. Cant.* col. 1663.⁶ *Ib.* *Chr. Sax. Concil. M. Brit.* t. i. p. 408. *Sim. Dun.*

HENRY I. *William*, archbishop of *Canterbury*, and held on *September 8*, at *London*: and to
 A. D. 1125. shew his superiority over all the rest of the assembly, sat on a throne, raised to an uncommon height above the seats of the archbishops, bishops (of which twenty were present) and all the temporal nobility that assisted at the council. The most remarkable of the canons made in it, were levelled against the clergy¹ and monks receiving churches or tythes from laymen, without the consent of the bishop of the diocese; against sons² succeeding their fathers in churches or prebends by an hereditary title; against³ the ordaining of clergymen without a title, or by any bishop but their proper diocesan; against persons⁴ enjoying several dignities in the same church; and against the marriages of cousins to the seventh generation. There was still another canon to provide for the celibacy of the clergy, on which the legate laid the greatest stress; declaiming against their marriages with a deal of intemperate language, and saying, among other things, that “it was an iniquity of the blackest kind “ for a man to consecrate the body of our Saviour, when he had just parted from a strumpet,” the title he was pleased to give the wives of the clergy. But the legate’s⁵ being caught in bed with a common whore, the very night after he had made this harangue, and after he had consecrated the eucharist in the morning, threw such a slur upon this canon, that those to whom it belonged, seem to have been ashamed of putting it in execution: and he himself was in so much confusion on this occasion, that he slunk away privately on the morrow, and the council broke up abruptly the third day of their sitting.

A. D. 1127. THIS legation of cardinal *de Crema* was considered as so grievous an invasion of the liberties of the *English* church, and such an affront to the primatial authority of the see of *Canterbury*, that archbishop *William* went to *Rome* to remonstrate against it, and prevent any thing of the like nature for the future. But this prelate seems to have had much less regard to the rights of the church, than to his own power; all that he did being to procure a bull, dated *January 25*, A. D. 1127, directed to the prelates, barons, and clergy of *England*⁶, and constituting him the Pope’s legate throughout the kingdom; a remedy full as bad as the disease, and a precedent fruitful in evil consequences. It was an affirmance of the papal power to appoint legates here; the grant was personal to him, and conveyed nothing to his successors: and though many of these afterwards obtained the like grants, the Popes, being got into possession of their claim, gave, as they saw occasion, such legatine commissions to other *English* bishops, and even to foreigners. Far from maintaining, it was betraying the rights of his own see, and a mean thing in *William* to accept such a legation: his doing so raises no advantageous idea either of his understanding or probity. For whatever benefit might be thence hoped, was personal to himself; and if his successors ordinarily enjoyed the like commission, they made use of it to arrogate new and illegal powers to themselves, to oppress the church, to encroach on the jurisdiction of other bishops within their proper dioceses, and to invade the rights of universities and ecclesiastical bodies: which suffer to this day, even when the papal power is abolished, from corruptions introduced whilst it was in force, and by many arbitrary acts of the primates of *Canterbury*, in whom the legatine and archiepiscopal authorities were united; it being almost impracticable now to distinguish, in virtue of which of those powers they acted in such cases as have served since for precedents to justify their conduct in the like instances. However unhappy it proved to the church of *England*, *William* rejoiced in his new authority⁷, and calling, in his legatine as well as archiepiscopal capacity, a general council of all the prelates and clergy of *England* at *Westminster Abbey*, took care to confirm in it most of the canons passed in that held by the cardinal *de Crema*; par-

¹ *Can.* 4. ² *Can.* 5. ³ *Can.* 8 and 10. ⁴ *Can.* 12 and 16. ⁵ *M. Paris.* *H. Hunt.*
Howel. *M. Westm.* *Brompton.* *Knighton.* *Chron.* *Hemingford.* *Chron.* *Joh. Abbat.* *Petriburg.*

⁶ *Concil. M. Brit.* t. i. p. 409. ⁷ *Ib.* p. 410.

ticularly that against the marriage of the clergy. This however, though it had, HENRY I. amongst the rest, the sanction of ¹ the royal authority, doth not seem to have been A. D. 1127. better executed than the former: and though in another synod², two years after, he renewed the prohibition, it did not produce the effect proposed, through the king's granting dispensations to such as were desirous to keep their wives.

LXVIII. HENRY's thoughts were at this time employed on the measures proper to be taken for opposing the attempts of his nephew *William*, who had surprized *Gisors*, and for securing the possession of all his dominions to his daughter *Maude*; who having buried her husband the emperor, had come to him the year before into *Normandie*. At the latter end of that year, he brought her over with him into *England*: and in the beginning of this³, caused all the prelates and barons of *England* to take a solemn oath (in case he should leave no issue male) to put her on the throne after his decease. Soon after this precaution, he had advice of *Charles the Good's* being assassinated in *Lent*, by *Bouchard de L'isle*, before the altar of a church, where he was praying: and that the king of *France* had put *William*, son of duke *Robert*, in possession of the county of *Flanders*, of which he was the true heir in the right of his grandmother. This gave *Henry* infinite disquiet⁴; and being apprehensive, that such an accession of strength to the young prince would encourage the *Normans* to another revolt, he immediately sent over his daughter *Maude*, with his natural son *Robert* earl of *Gloucester*, and *Brian* son of count *Alan Fergant*, to defend the country. He went over himself on *August* 26 following⁵, and thinking it necessary to secure *Fulk* count of *Anjou* in his interests, agreed to marry his daughter to *Fulk's* son *Geffrey*, surnamed *Martel*, a young prince of great merit, courage, and fortitude. The nuptials were solemnized on the ⁶ octaves of *Whitsunday* at *Roien*: *Fulk* was present at the wedding; and returning after three weeks feasting to *Angers*, resigned his territories to *Geffrey*; and went into the holy land, to receive the crown of *Jerusalem*. A. D. 1128.

THIS marriage gave great offence to most of the *Norman* as well as *English* nobility; it being made, and the heiress of the crown given to a foreigner, without consulting any of them, besides the two abovementioned: and this resentment was so keen and general, that some writers ascribe to it the facility of *Stephen's* usurpation. The dangers, arising from this general discontent, more immediately affected *Normandie*, which the new count of *Flanders* was raising forces to invade; so that *Henry* thought his presence absolutely necessary in that country. During his stay there, *Hugh*⁷ a knight templar, coming to him from the holy land, to sollicite supplies of men and money, the king made him great presents: and by his recommendation the knight raised vast sums of money in *England*, and such a number of forces, as had not been seen in any of these expeditions, since the time of the first general croifade. But *Henry's* fears were soon after removed by the death of his nephew *William*⁸; who having besieged *Alost*, and routed the forces of *Thierry Landgrave* of *Alsace*, as they advanced to relieve the place, received the same day, in a skirmish with a party of the garrison, a thrust with a lance which he caught at, under the ball of the thumb of his right hand, into the wrist; and died⁹ of the wound within five days, on *July* 27, in the abbey of *St. Bertin*, after having been sixteen months in the possession of *Flanders*. In him was extinct the legitimate issue of *Robert Curthose*; who was then in prison at *Car-*

¹ Flor. Hist. Contin. ² Conc. M. Brit. t. i. ³ Sax. IV. Malmesb. ⁴ Sim. Dun. ⁵ Joan. ⁶ Joan.
p. 114. II. Hunt. M. Paris. Chr. Sax. Heming- Mon. Major. Monast. Vita Galfr. di Ducis Norm.
Ind. ⁷ Chr. Sax. IV. Malmesb. Hist. Novell. p. 13, 14, 19. 80. ⁸ Chron. Sax. ⁹ Ord.
¹ Epist. H. Hunt. in Angl. Sacr. 2. 699. Chr. Vit. l. xii. p. 885. ² Gul. Gemet. l. viii. c. 16.

HENRY I. diff. and having dreamed in ¹ the night, that his son was wounded with a lance in the right arm, and had lost it immediately, said to those about him in the morning, “ Alas! my son is dead:” which surprizing them at first, because there was not the least rumour of such an accident, they found soon after verified by the event. By the death of this prince, *Henry* got rid of all his fears and troubles, being now secure in the possession of his dominions: for *Thierry* of *Alsace* succeeding to the county of *Flanders*, entered into a league with him, and married his son's widow; the king of *France* ceased to give him any further disturbance; and the *Normans*, in despair of success against him, began to reconcile themselves to his government.

A. D. 1129. *Henry's acts of grace in Normandie and England.* LXIX. THE king however staid the greatest part of the next year in *Normandie*, to settle the country in peace, by measures, that clashed with his natural disposition, but were dictated by prudence and good politicks; extending his grace to all that sought it and engaged to live obedient to him for the future, and even binding some of them to him by great favours and acts of beneficence. Thus he gained *William de Roumara*, giving him *Maude*, daughter of *Richard de Redvers*, earl of *Devon*, in marriage, and restoring him his possessions in *England*: and sending for *Walleran* count of *Meulant* and *Hugh Fitz Gervase* from their prisons in that kingdom, gave them their liberty, and put them into possession of their estates in *Normandie*. When the king returned to *England* at the latter end of *July*, *Walleran* went along with him; and they were ever after as great friends, as they had before been enemies.

It was probably about this time, that the king made the alteration in the revenue of his demesne lands; which is mentioned in the *Dialogue of the Exchequer*, usually ascribed to *Gervase of Tilbury*. The tenants of these lands had been used from the conquest, instead of *Rents* and payments in money, to furnish provisions for the king's household; the quantity, kinds, and nature whereof were settled at a constant rate or proportion, and the times regulated, when they were to be brought to court from every quarter of the kingdom. These tenants being all liable to talliage, when the king's occasions required it, were much impoverished by the heavy taxes laid upon them to defray the expences of the wars of *Normandie*: and some bad years happening about this time, a grievous famine ensued, agriculture failed, and it was difficult for the country people to supply the household with their usual proportion of victuals. Hence, when the king went his progress, they seized all opportunities of meeting him; offering him their plough-shares, as things of no use to them; complaining of numberless hardships; particularly of being forced in many parts of the realm to come from their own dwellings to court with provisions; which they could not furnish in this manner without great inconveniences. The king hereupon appointed commissioners to go through the counties, whence these victuals and necessaries for the household were supplied, and computing the value thereof in money, to fix a certain annual sum in lieu thereof; which being received by the sheriff of each county, was to be paid by weight into the exchequer. This composition seems to have been very advantageous to the tenants; the rates of provision being then exceeding low, and as they rose, the intrinsic value of money continually lessening.

¹ *Ord. Vit.* p. 887.

² It is said in the same place of the *Dialogue*, that a measure of wheat sufficient to serve an hundred men with bread, was valued at a shil-

ling; a fat ox five shillings, a wedder or sheep four pence, and a ration for twenty horses at four pence.

LXX. HENRY, in the latter part of his reign, was at peace with all his neighbours: and though he passed about *Michaelmas* *A. D.* 1130 into ¹ *Normandie*, it was not to quell or prevent any disturbance in that country; but rather to meet *Innocent* II at *Chartres*, whom he had acknowledged for the true Pope, in opposition to his rival *Anacletus*, and to make a visit to his daughter *Maude* the empress, of whom he was extremely fond, and who seems to have had a quarrel with her husband. He staid there till after *Midsummer* in the year following: and then bringing her over with him into *England*, called a great council of all the prelates ² and nobility of his realm on *Sept.* 8, at *Northampton*; where they all either renewed or took an oath of fealty to his daughter; about whose succession to his dominions, he was very solicitous. He was now sixty three years of age, his constitution much hurt by the enormous debauches of his youth, and in despair of getting any more children: he seems to have made them take an oath to *Maude* in absolute terms for maintaining her succession, which most of them had taken before only on condition that he died without male issue. Her husband *Geffrey*, called *Plantagenet* (from a sprig of broom he wore in his bonnet) ³ was out of humour with *Henry*, because he did not consign to him the duchy of *Normandie*, and refused flatly to do it before his death: and as if he disliked this voyage of his wife's to *England*, demanded her back; a request readily granted by the advice of the council, which the king consulted on that occasion.

MAUDE had lived four or five years with her husband without having any child: but somewhat above a year after her return to him, she was delivered of a son ⁴, named *Henry*, afterward king of *England*. Some ⁵ writers place the birth of this prince in *A. D.* 1132; but as they are not particular with regard to the month or the time of the year, I am more inclined to follow the accounts of *Ordericus Vitalis* and *Ralf de Diceto*, who say, he was born at *le Mans* in *March* 1133; herein agreeing with *Robert* of *Gloucester*, who speaks of his birth as happening a little before *Easter*; which *Henry* kept this year at *Oxford* with the greater joy and magnificence on that occasion. It was ⁶ either in the court held at this festival, or in a general assembly of the prelates and nobility of this realm called for this purpose, that he caused them all to take a new oath of allegiance for preserving the succession of the crown, not only to his daughter, but to the heirs of her body. Impatient to see his daughter and grandson, he set sail for *Normandie* on the second of *August* ⁷; a total eclipse of the sun happening that day as he was sleeping on ship-board. He then took a final leave of *England*; being too much delighted with *Maude's* bringing forth a second son, named *Geffrey*, the next year, and a third called *William* the year following, to think without pain of returning thither ⁸, and his daughter opposing it with all her arts and influence. Some ravages and victories of the *Welsh* over his subjects put him at last upon attempting to pass over into *England* with a body of archers; but the wind ⁹ being contrary, he easily laid aside that design: and going to hunt in the forest of *Lyons* on *Nov.* 25, was taken ill the ¹⁰ next day after his sport, by supping too plentifully on lampreys, a fish which never agreed with him, and yet he loved to excess, and died in the sixty seventh year of his age at *St. Denis le Forment*, in the beginning of the night on *Sunday Dec.* 1, *A. D.* 1135.

¹ *Chr. Sax. W. Malmesb.* ² *Chr. Sax. Annal. Waverl.* ³ *Ord. Vit.* l. xiii. p. 900.

⁴ *Vit. Gaufrid. Duc. Norman.* p. 80.

⁵ *M. Paris. M. West. Hoveden,* p. 490.

⁶ *Ipse. Neuftr.* p. 444. *Rad. de Diceto,* col. 505.

⁷ *Chr. Sax. Flor. Wig. Cont. Annal. Waverl.*

⁸ *Brompton,* col. 1020. *H. Hunt. Hoveden.*

⁹ *Ord. Vit.* p. 900.

¹⁰ *Ib. Annal. Abb. de Crokefden. Bibl. Cotton. W. Malmesb. Vita Gaufrid. H. Hunt. Chron. J. Abb. de Petriburg.*

HENRY I. ROBERT earl of *Gloucester*, one of his natural sons by *Nella*, the beautiful daughter of *Rees ap Theodore*, prince of *South-wales*, *William de Warenne* earl of *Surrey*, *Robert* earl of *Surrey*, *Robert* earl of *Leicester*, *Rotrou* and *Walleran* counts of *Mortagne* and *Meulant* were present at his death, with several other noblemen and governors of places. When they asked him ¹, whom he would leave his successor, he declared that he left all his territories, both in *England* and *Normandie*, to his daughter and her heirs, by lawful and perpetual successions, and bequeathed nothing to her husband, who had incensed him by several insults. It was in their presence likewise, that he remitted all the forfeitures of the exiles who had adhered to his nephew, restoring them to their country and estates; that he ordered his son *Robert* to take sixty thousand pound out of his treasure, then at *Falaise*, to be distributed among his servants and stipendiary soldiers for a reward of their services; and directed his body to be interred in the abbey of *Reading*, which he had founded. His corpse was removed the next day to *Roüen*; twenty thousand people attending it, and the noblemen carrying of it on their shoulders by turns: the bowels, being there taken out, were buried in the priory of *Notre Dame du Pré*; and his corpse being either embalmed, or salted in a butcherly manner, was carried to *Cæn*, in order to be transported into *England*.

4. D. 1135.
His will, children, character, and laws.

As to his person he ² was of a middle stature, but rather taller than his brothers; broad chested and strongly made; his hair of a dark brown, and thick; his eyes clear and serene: in his humour facetious, pleasant in conversation, fluent in discourse, affable in his behaviour. He had great natural parts, improved by such an uncommon share of learning that he was called *Beauclerc*; he was distinguished by his penetration, foresight, and judgment; being superior to all the princes of his age in the art of politicks. His caution was so very great, that he never neglected small matters, nor cared to undertake a war, unless it became absolutely necessary, or he was sure of success; though when once engaged, he went through it with courage and spirit; signalizing his valour on occasion, and being firm, persevering and resolute in all his enterprizes. He was impatient of injuries, keen in his resentment, and immoderate in the punishment thereof; equally tenacious of hatred and friendship towards all persons; too furious in one case, too bountiful in the other; depressing his enemies to the extremest misery, and raising his friends, favourites, and followers, even to envy. He was temperate in his diet, rigid in the execution of justice, inexorable to offenders, diligent in finding out, and severe in taking vengeance on, robbers, false coiners, deceivers in weights and measures, and other criminals, whom he punished with maiming, to deter others by the terror of examples; though he changed this punishment at last into pecuniary mulcts to increase his revenue. He was ³ so unmeasurably fond of hunting, that he multiplied his forests, though too numerous and oppressive in the times of his predecessors; and the killing of a deer was a crime equally capital with that of homicide. What chiefly in the eye of the world sullied his specious virtues was, his ⁴ insatiable lewdness with all sorts of women, his excessive cruelty, even to his nearest relations, and his boundless avarice, which put him upon scraping together such a mass of treasure, that notwithstanding all his foreign wars, he died the richest prince in *Europe*. It was to defray the expences of those wars, that the intolerable exactions, complained of by all our historians, were laid on the common people; as the heavy tax of three shillings an hyde (which raised, according

¹ *Ord. Vit.* p. 901.

² *Malmesb. Robert of Gloucester.*

³ *W. Malmesb. Gul. Newbrig.* l. i. c. 3.

⁴ *Ep. H. Hunt. in Angl. Sacr.* 2. 699.

to Dr. *Brady's* computation ¹, the value of eight hundred and twenty-four thousand HENRY I.
A. D. 1135. eight hundred and fifty pounds, as money runs at present) was for the marriage of his daughter to the emperor. *Danegeld*, at the rate of one shilling an hyde, seems to have been paid all his time; for though in a sickness ² which brought him to the point of death, in *A. D.* 1132, he made a vow to remit it for seven years, it doth not appear that this remission took place: but as no mention is made of any extraordinary aids or scutages levied upon the military tenants, most of his wealth was probably raised by the forfeitures of offenders, and the fines he took of the married clergy. His birth in *England* did not take away that contempt and hatred which his *Norman* descent, acquaintance, and education inspired into him against the *English*: and yet the quiet of his government there was not interrupted by a single insurrection; which was probably owing to the influence of the bishops and abbots, whom he always took care to keep in his interest. Whether it was owing to his wisdom or good fortune, he was generally successful in his enterprizes: and the difficulties he met with in the course of his reign, served only to display his talents, and to raise his reputation both at home and abroad.

HENRY had by his first wife ³ a son and a daughter, *viz.* *William*, unfortunately drowned in his life time, and *Maude* the empress; by his second, with whom he lived fifteen years, and who, soon after his death, was re-married to *William Albiney*, the first earl of *Arundel*, he had no issue ⁴: but his natural children by his concubines were very numerous. Among these were *Robert* earl of *Gloucester* abovementioned; *Richard*, born of the widow of *Anschil*, a nobleman near *Abingdon*; and *Reginald*, earl of *Cornwall*, whose mother was *Sibylle*, daughter of Sir *Robert Corbet*, of *Alcester* in *Warwickshire*. *William*, called *de Tracey* ⁵, from a town of that name in *Normandie*, given him by his father, was probably born of the same mother as *Reginald* ⁶, being in the *Red book of the Exchequer* styled his brother: and died soon after his father. Another, named *Robert* ⁷, was born of *Edith* or *Eda* (daughter of *Forne*, a great baron in the north, and wedded afterwards to *Robert D'Oiley*, baron of *Hokmorton* in *Oxfordshire*) and marrying *Maude Avenel* or *D'Avranches* ⁸, had by her a daughter, named also *Maude*, and married to *William de Courtenay*. The monk of *Bec*, that interpolated *William* of *Jumieges*, mentioning an illegitimate son of this prince, named *Gilbert*, says nothing of his mother: but it is well known, that *Henry*, from whom the family of the present earls of *Pembroke* is descended, was born of the *Welsh* princess *Nesta*. Among this king's illegitimate daughters, mention is made of *Maude*, countess of *Perche*, drowned near *Barfleur*; *Maude*, wife of *Conan le Gros*, count of *Bretagne*; *Juliana*, married to *Eustace de Pacey*, natural son of *William de Breteuil*, son and heir of *William Fitz Osbern* earl of *Hereford* ⁹; *Eustache*, wife of *William de Gouet*, a *Norman* baron; *Constance* ¹⁰, married to *Roscelin*, viscount of *Beaumont*; *Aline*, wife of *Matthew* ¹¹, son of *Bouchard de Montmorancy*; and *Elizabeth*, born of *Elizabeth* sister to *Walleran* count of *Meulant* ¹², and wife of *Alexander* king of *Scotland*. There are more illegitimate children ascribed to *Henry*; particularly a daughter ¹³, married to *William de Chaumont*: but their names are not preserved.

¹ *Hist. of England*, vol. ii. p. 270. *LL. H. I.* c. 15. ² *Brompton*, col. 1019. ³ *Gul. Neubrig.* l. i. c. 3. ⁴ *Hist. Norm.* p. 1073. *Gemet.* l. viii. c. 29. *Ord. Vit.* p. 852, 854.

⁵ *In Certif. De feod. mil. in Devonshire.*

⁶ *Sim. Dun. Contin. A. D.* 1142.

⁷ There is still preserved a charter of this *Robert*, being a grant of the manor of *Porloch* to *Hugh de Raleigh*, and another of lands beyond the *Exc* to

Richard Floyer, among the writings of the families of *Chichester* and *Floyer*; and in the tenth box in the dutchy office is a charter likewise of his wife *Maude* under her seal.

⁸ *Dugdale's Baron.* t. i. p. 634. ⁹ *Menage Orig. Italian.* 506. ¹⁰ *Cart. 1. Joh.* pl. 1.

n. 71. ¹¹ *Hist. Montmor.* p. 95, 105, 106.

¹² *Dalrymple's Collect.* p. 371. ¹³ *Ord. Vit.* p. 856.

HENRY I.
A. D. 1135.

THERE is a code of laws, generally supposed to be established by this king, and passing under his name¹: but though they are inserted in the *Red book of the Exchequer* (which in an *Inquisition de Quo warranto*² in the name of *Edward I*, about the right of the prior of *S. Martin* in *Dover* to a moiety of the customs of the port, and to a third of the market, the grant whereof by *Henry I* had been carried off by the *French*, was referred to as a publick record) it is very certain that they were not enacted by his authority; nor were they observed in his time, as appears from the petition of the *Londoners* to the empress *Maude*³, “that the laws of “*Edward the Confessor* might be observed, because they were good, and not those of “her father *Henry*, which were grievous and oppressive.” The king indeed, in his charter beforementioned, passed immediately after his coronation (which is put at the head of this code, and takes up the two first chapters thereof) made a promise in general terms, that he would restore his subjects to the benefit of king *Edward's* law, as it was amended by the *Conqueror*: and authentick instruments of this charter, under the great seal, were lodged in the great abbeys of every county throughout the kingdom. But he had so little inclination to have the contents of the charter observed, that means were used to get the copies thereof out of their repositories, with so much diligence and success, that *M. Paris* says in his *Lesser history*, there were not, in his time, above three of them left, viz. those in the archives of *Canterbury*, *York*, and *St. Albans*. The first of these was afterwards⁴, in *A. D.* 1213, produced by *Stephen Langton*, archbishop of *Canterbury*, in a conference with some of the principal nobility of *England*, in order to animate them to recover and assert their ancient liberties. There is no doubt but abundance of the *Saxon* customs, and of their penal laws, were observed in the hundred and county courts, during the reign of this king, and even of his successors, as long as those courts enjoyed their ancient authority: and the code, being only a collection of those laws and customs, as practised in the time of the *Confessor*, was probably drawn up by some lawyer, or other person, by way of comment on the general promise in *Henry's* charter for restoring the law of king *Edward*.⁵ As to the time of its being drawn up, it appears plainly from *c.* 6. to have been compiled after the erection of the sees of *Ely* and *Carlisle* (which last was founded but a year, or two at most, before *Henry's* death) and from the quotations⁶ out of the papal *Decreta*, to have been made after the year 1151, when *Gratian*, a *Benedictine*⁷ monk, composed his *Decretum* in the monastery of *S. Felix* at *Bologna*. Whoever was the compiler of this code of laws, it was inserted in the *Red book*⁸ before the *Dialogue about the Exchequer*, wrote by *Richard*, bishop of *London* (high-treasurer of *England* during the greatest part of the reign of *Henry II*) as *Alexander*, archdeacon of *Salop*, an officer of that court in king *John's* time, attests in his *Treatise of scutages*⁹; which in the same book immediately follows the *Dialogue*. It is distinguished into chapters, with the titles of each, written in red ink, and a very ancient hand, prefixed: and (were it not for one objection) may well enough be supposed to be drawn up under the title of *The laws of Henry I, son of the Conqueror*, in *A. D.* 1156; when *Henry II*¹⁰ ordered the laws of his grandfather *Henry* to be observed inviolably throughout the kingdom. It behoved this prince, in the beginning of his reign, and after the horrible oppressions and disturbances during the late usurpation, to ingratiate himself with his people: he did so in other instances; and in this it cannot reasonably be supposed that he ordered the laws, practised in his grandfather's days, to be observed, when the *Londoners* had made such heavy complaints against them,

¹ *Lambard. Archaionom.* p. 175, & seq.

⁶ *LL. H. I. c.* 5.

⁷ *Baron. Annal.* t. xii.

² 8 July, 34 *Ed.* II.

³ *Flor. Wig. Contin.*

ann. 1151.

⁸ At fol. 16.

⁹ It begins fol. 47.

ann. 1141.

⁴ *M. Paris*, p. 240.

⁵ *Hunt.*

¹⁰ *Hoveden.* p. 491.

l. vii. ad fin. Hoveden. ann. 1134.

and his mother's refusal to repeal them and re-establish those of king *Edward*, was so highly, and with such mischief to her affairs, resented. What the nation, as well as the *Londoners*, desired, was the laws and usages of the *Confessor's* time; *Henry I* had promised in general, but had not taken care that they should be observed: it was therefore fit to specify them, and draw up in a body what of these were particularly to be observed; and the *Code* in question being very proper for that purpose, and known in *Hoveden's* time by the title of *The laws of Henry I*, might probably be compiled at that time, and on that occasion. This notion however is liable to one objection¹, taken from the direction given for appeals to the Pope, in case of a bishop's deviating from the faith, and continuing refractory; because such appeals² were not allowed by the laws, till after the absolution of *Henry II*, for the murder of *Thomas Becket*. It is evident from the long dispute between the bishops of *St. David's* and *Landaff*, and from several other instances, that appeals were frequently made to *Rome*, and connived at, before *A. D.* 1172, when they were first expressly permitted: but if, notwithstanding that connivance, the objection be still thought of weight, it must at least be allowed, that this collection of *Saxon* laws, or (as they are styled) of *Henry I*, was compiled before *A. D.* 1180; when *Ralf Glanvil*, the chief justiciary, drew up the *English* laws³ that are preserved in *Hoveden*. This appears from the difference⁴ of the law vacations mentioned in both collections; the laws of *Henry I* taking no notice of the *Saturday's* fast: which being a singular practice of the particular church of *Rome*, different at first from that of the whole Christian world besides, she was the more zealous, on the very account of its singularity, to introduce into the practice of other churches; and got it to be received in *England*, before *Glanvil* was made chief justiciary.

HENRY I.
A. D. 1135.

STEPHEN.

LXXII. **H**ENRY I, ought naturally to have been succeeded by his daughter *Maude*, commonly called the *Empress*; according to the customs of the *Normans*, *Germans*, *Goths*, and all the *Northern* nations, as well as the *Britains*: among whom the next female in blood was called to the succession of the crown, when the male line of their monarchs became extinct. Her father imagined he had effectually secured it to her, by making the prelates, and the nobility, of all his dominions, swear over and over to maintain her in that succession: but we see on this occasion, what a frail security oaths are; and how little they are minded, when a breach of them appears to be for people's interests. It was one of *Henry's* frailties, to be unmeasurably kind to his favourites: and blindly following that passion, he had, contrary to the rules of good policy, raised his sister *Adela's* younger sons, *Stephen* and *Henry de Blois*, to such an height of power and dignity, as enabled them to defeat all his designs in favour of his daughter. He had procured for *Stephen* a very advantageous match with *Maude*, the only child of *Eustace* count of *Boulogne*, by *Marie* of *Scotland*, sister to king *Henry's* first queen: and he had made *Henry* abbot of *Glastenbury*, and bishop of *Winchester*, both which dignities he now en-

STEPHEN.
Stephen of
Blois crown-
ed.

¹ *LL. H. I. c. 5.* ² See *Eadmer*, p. 39. lin. 35. lin. 3, and 30. *Hoveden. ann.* 1172. p. 530.
³ *Hoveden. ann.* 1180. p. 600. ⁴ *Ib.* 601. *LL. H. I. c. 62.*

STEPHEN.
A. D. 1135.

joyed. *Stephen* was, in his wife's right, possessed not only of the county of *Boulogne*, but also of a vast estate in *England*; which had been given her ancestors at the conquest, when *William I.* distributed the lands of the forfeiting *English* with a strange profusion among his fellow-adventurers. His uncle, thinking he could never do enough for a nephew he liked, had increased this estate by the grant of other considerable possessions in *England*, particularly of the honour of *Eye*, and all the great estate of *Robert Malet*¹: and had given him likewise the county of *Mortain* or *Coutances* in *Normandie*. When the first solemn oath in favour of the empress *Maude's* succession was taken by the prelates and nobility of *England*, he pretended to be so zealous for it, that *David*, king of *Scotland*, having sworn the first of the laity, *Stephen*² contended eagerly with *Robert* earl of *Gloucester*, who should swear next after that king; alledging his being *Henry's* legitimate nephew was a dignity superior to that of a natural son, and consequently he ought to have the precedence. But oaths and gratitude are weak restraints to an ambitious mortal, who hath a crown in his view: *Stephen* thus owing all his great fortune to *Henry*, and bound by the most sacred ties of religion to *Maude*, was unnatural enough to employ the power he derived from his benefactor to defeat his just designs, and to usurp the dominions of his cousin-german, whose succession he had sworn to defend. He had seen, by the experience of the late king, how easy it was to supplant an absent heir; little more being necessary than to gain the favour of the *Londoners* (in whose good graces he was already) and to get himself anointed: and being once invested with the royalty, a few smooth words and fine promises to gull the *English*, upon whom that sort of coin easily passeth, would effectually secure his possession.

He had been bred up in his uncle's court, and had formed an acquaintance with most of the nobility of *England*, by whom he was generally beloved for his good-nature and affability: this encouraged him to presume upon their favour; and he hoped to obtain the consent of the prelates, by the interest of his brother, the bishop of *Winchester*. He had likewise the mob on his side³; having always courted the common people, and been used to converse, pass his time, and joke with those of the lowest rank: which had given him an air of popularity, at the same time that it lessened his esteem in the opinion of wiser persons; who thought it unbecoming his dignity. But the greatest advantage he had, lay in the absence of the empress *Maude* and her husband; who were detained in *Anjou* by urgent affairs: and *Stephen* resolved to improve the opportunity; following the plan which had been chalked out to him by his predecessor. When he received at *Boulogne* the news of *Henry's* death, he hastened immediately to *Witsand*, where he took shipping for *Dover*: but upon his landing there, none of the burghers would entertain him in their houses, nor did he meet with a better reception at *Canterbury*⁴; the citizens apprized of the design of his coming, shutting the gates against him, and refusing to admit him into the city. These repulses did not discourage him from advancing to *London*⁵; where he was honourably received and saluted as king by the citizens: and going thence to *Winchester*, accompanied by his brother, the bishop of the place, got possession of the late king's treasure; which, at that prelate's instances, was delivered to him by *William de Pont-del-arche*, to whose custody it had been intrusted. This amounting to an hundred thousand pounds in money⁶, besides plate and jewels, was of great service to him in gaining the nobility and soldiery: and his brother's persuasions having engaged *Roger*, the great bishop of *Salisbury*, in his interests, there was nothing wanting to his coronation, but the consent of *William*, archbishop of *Canterbury*; whose right it was to perform the ceremony.

¹ Camden's Britan. in Suffolk.

⁵ H. Hunt.

² W. Malmesb.

³ Ib.

⁴ Chron. Gervaf. col. 1340.

⁶ W. Malmesb.

THERE was some difficulty in obtaining it, by reason of the oath, which the STEPHEN:
 primate had taken to *Maude*: but *Hugh Bigot*, steward of the late king's household, A. D. 1135.
 making oath before him¹, that *Henry*, upon some difference between him and his
 daughter, had on his death-bed disinherited her, and made *Stephen* count of *Boulogne*,
 his heir, that objection was removed; through the credulity of the old prelate, who
 died soon after of a broken heart, when he came to know how he had been imposed
 on by that impudent perjury. *Stephen* was crowned at *Westminster* on *Sunday*²,
December 22; wore his crown afterwards on *Christmas-day*, and did so again, with
 great ceremony, on *St. Stephen's day*; the archbishop always putting it on his head,
 with the respective rites³ adapted to those several occasions, according to ancient
 custom. Thus *William*, who had been the first in taking the oath of fidelity to
 the empress, was the first likewise that swore to *Stephen*, and did him homage:
 setting an unhappy example to the rest of his order, and to the barons, who assisted
 at the solemnity, to follow. These indeed were but few; there being present,
 besides the archbishop, only the bishops of *Winchester* and *Salisbury*, not one abbot,
 and very few of the nobility; making the smallest appearance that ever was known
 at a coronation. Our historians observe of those who were present, that every one
 of them had sworn⁴ before to *Maude*; that *William* died in less than a year, on
November 26, *A. D. 1136*; that *Roger*, bishop of *Salisbury*, was stripped of his
 all, by the very usurper he had raised to the throne, and died miserably in prison;
 and that all the rest came to unhappy ends, or were remarkably punished by the
 heaviest calamities. It was looked upon as a bad omen, that the kiss of peace,
 usually given after the *Agnus Dei*⁵, was forgot in the service: and the event seemed
 to correspond with this notion, there being, during this prince's reign, no peace en-
 joyed in any quarter of the kingdom. Other writers take notice⁶ of the con-
 secrated wafer's disappearing or being lost, so that the new king did not receive the
 sacrament, as usual, at this solemnity: and among other sad presages of turbulent
 times, mention is made of such terrible claps of thunder and lightning, as caused
 people to apprehend the world was going to be dissolved; which happened on the
 day of *Stephen's* landing at *Dover*, in the midst of winter, a season of the year,
 when phenomena of that nature are least to be expected.

LXXIII. AT the latter end of the *Christmas* holidays, the corpse of the late A. D. 1136.
 king was brought over from *Normandie*: and being attended by *Stephen*, and all the
 nobles⁷ assembled in his court, at that festival, who carried it by turns on their
 shoulders, was buried, with great pomp, in the abbey of *Reading*; from whence the
 usurper proceeded to *Oxford* to take measures for the security of his government.
 To gain the consent of the nobility to his coronation, he had promised every thing
 required of him; and his brother, the bishop of *Winchester*, had answered for his

His measures
for the secu-
rity of his
throne.

¹ *W. Malmesb. M. Paris. Rad. de Diceto.*

² *W. Malmesb. Chron. Mailros. Gervaf. Cant.*
col. 1340. Rudborne, &c.

³ In the ceremony of the festivals, the crown was
 put on the king's head in his bed-chamber, and he
 wore it in going to church (*Eadmer*, p. 137.) but
 in the first coronation, the crown was carried in
 procession to church, and after several religious
 rites there, placed on the king's head. No oath
 was taken, nor unction used at the festival coro-
 nations, as there were in the primary coronation.
 Our historians generally agree, that *Stephen*, about
 the middle of his reign, discontinued this rite of
 coronation at the great festivals, which has oc-
 casioned several later writers to mistake the day,
 when this prince was crowned, and some likewise

the year, *i. e.* such as begin the year at *Christmas*
day, according to the *Saxon* computation. Such
 mistakes of the year arise also from our kings be-
 ing used formerly, not to compute the part of the
 year in which they succeeded their predecessors,
 nor those in which they did not reign compleat;
 so though *Stephen* was crowned *A. D. 1135*, he
 does not call it the first of his reign, but the year
 following is so called.

⁴ *Ib. col. 1664. Knighton, col. 2384. Joan.*
Major. Mon. p. 83. Gervaf. Cant. col. 1340.
Chron. J. Abbat. Petriburg. Chron. Mailros. Joh.
Hagulstad. Gervaf. col. 1664. Rudborne.
Walter Coventr. Brompton. W. Malmesb.
Brompton.

STEPHEN.
A. D. 1166.

performance of what he promised: but as very few of them assisted at that solemnity, and most of the rest kept aloof from his court, not caring to violate their former oath to *Maude*, he thought it proper to make a publick declaration, and take a solemn oath, that he would keep his word in the points particularly mentioned, and conform to his stipulations in the general tenor of his conduct. This was done in a great council of the nobility convened at *Oxford*¹; where he swore, “that he would not retain vacant prelacies in his hands, but would fill them immediately with persons canonically elected, to whose election he would give his consent without delay; that he would not disturb either clergy or laity in the enjoyment of their woods, as the late king *Henry* had done, nor sue any body either for hunting and taking venison in his own woods, or for cutting them down and committing waste therein, which had been made use of as a pretence for fining and extorting large sums from gentlemen that had the reputation of being wealthy; and that he would remit for ever the tax of *Danegeld*², which had been levied by his predecessors every year since the conquest.” These particulars of his oath are mentioned by our old historians; who observe that he promised several other things in general; but was equally false to his particular and general stipulations; usurpers seldom troubling themselves about the performance of promises which they make, either of course in the ceremony of their coronation, or with political views in the difficulties of their affairs. *Stephen* was ready to grant to every body that asked, to some, honours and earldoms, to others, lands; hoping to gain the hearts of those who partook of his bounty, at the expence of the crown revenue: and gave a general license to all his nobility and military tenants to fortify their houses or castles on their estates³. This last privilege was not allowed to any person within the dominions of the kings of *England*, either on this side or beyond the sea, without a particular license: and he had soon reason to repent of the general liberty, which he now gave, purely out of an apprehension that *Maude* the empress was coming to land in *England*. To guard against her attempts, he employed the late king’s treasure to raise great numbers of *Breton* and *Flemish* soldiers; whom he took into his pay, and looked upon as the best security of his crown; not caring to trust the *English*, who seemed ready enough to submit to her government. Her uncle *David*, king of *Scotland*, had set up her title: and falling into the provinces of *Cumberland* and *Northumberland*, had taken *Carlisle*, *Wark*, *Alnewick*, and *Newcastle*, with all the fortresses⁴ in those parts, except *Bamburg*, and made the most considerable of the gentry in those counties, and as far as *Durham*, swear allegiance to *Maude*, and give hostages for assurance of their fidelity. On advice of these proceedings, *Stephen* marched with an army into the north: and meeting *David* about *Durham*, they came on *Asb-wednesday*, *February* 5, to an agreement⁵; by which the latter restoring the places he had taken in *Northumberland*, was allowed to retain *Carlisle*, and what he possessed in *Cumberland*. As these conceded territories belonged to the crown of *England*, *David* ought naturally to have done homage for them to *Stephen*: but excusing himself from that step, on account of the oath he had taken to maintain his niece *Maude*’s succession, it was performed by his son *Henry*, to whom *Stephen* gave the county of *Hungtindon*, and promised not to dispose of *Northumberland*, till after a solemn hearing of his claim to that county. This young prince was mightily caressed by *Stephen*: and accompanying him to *London*, was so far got into his good graces, that in the festival of *Easter*, which he kept there with great magnificence, he made him sit on his right-hand, to the great

¹ *Brompton*, col. 1024. *H. Hunt. Chron.*
Walter. Hemingford. ² *Brompton*, *Huntingdon*,
and *Hemingford* say, this was rated at two shillings
an hyde, though the laws of *Henry I* restrain it to

one shilling an hyde.

col. 2385. *Gesta Regis Steph.*
Hagulf.

⁵ *Chron. Mailros.*

³ *Brompton*, *ib. Knighton*,
⁴ *Hist. Joh.*

offence¹ of *William* archbishop of *Canterbury*, *Ralf* earl of *Chester*, and others of the great nobility; who being more ancient in creation than *Henry*, resented this precedence, treated him abusive language, and left the court; which so incensed *David*, that he would not suffer his son to return thither afterwards for fear of exposing him to the like insult. This probably happened at the coronation dinner, after *William* had performed the office of crowning *Maude*, consort to *Stephen*, on *Easter-day*, *March* 22; it being customary for the archbishop of *Canterbury* to sit on the king's right hand at dinner on that solemn occasion.

STEPHEN.
A. D. 1136.

LXXIV. EVERY thing was now quiet all over the kingdom, except on the marches, and in the parts of *Wales*, possessed by the *English*²; which were infested, as usual, by incursions of the *Welsh*; who slew *Richard Fitz Gilbert* on *April* 15, and did an infinite deal mischief: but being unconcerned in the dispute about the right of the crown, a peace soon put an end to their hostilities. In this situation of things, *Robert* earl of *Gloucester*, the most considerable nobleman in the kingdom, the most attached of any to the interests of his sister *Maude*, and on these accounts the most dreaded by *Stephen*, came over into *England*. He was a man of great natural parts, much improved by learning, which he cultivated in himself, and encouraged in others; being a munificent patron to all men of letters; kind to all, affable in his behaviour, great in his mind, and generous in all his actions, eminent for his valour, military skill, and other talents, in which he had no superiour; and distinguished by his temper, firmness, sagacity, wisdom, and experience in affairs, in which he had no equal; so that this assemblage of virtues and great qualities, joined to the probity of his heart, the innocence of his life, the regularity of his devotions, and the real sense which he had of religion, rendered him at once the most deserving and the most popular man in the nation. He had staid in *Normandie* after the decease of the late king, to execute his will in the distribution of sixty thousand pounds among his servants, officers, and soldiers in the garrisons of that country; to secure the greatest part of the money in his treasury at *Falaise* for the use of his daughter, to whom it of right belonged; to take what measures he could there for her service, and to wait, till he saw what turn things took in *England*. Finding at length that all things were quiet here, and that the nobility in general had submitted to *Stephen*, he delivered *Falaise* to *Theobald* count of *Blois*, and came over after *Easter* to try if he could not spirit them up to shake off his yoke, and return to the duty which they had sworn to the empress. It was natural for *Stephen*, upon his arrival, to insist that he should swear fealty, and do him homage like the rest of the nobility: and the better to conceal his views, he thought fit to comply in those respects, but upon this express condition, that “the other should preserve his dignity inviolate, and make good his stipulations,” a condition which, he well knew *Stephen* would soon violate, and thereby release him of those obligations. In this conditional way of taking the oath of fealty, his example was followed by most of the prelates, who had as yet stood out; till *Stephen* to reconcile his usurpation to their consciences, had upon a promise of obedience to the see of *Rome*³, procured Pope *Innocent*'s confirmation of his title and unjust possession: and then they swore allegiance to him, as long as he maintained the liberties of the church, and supported the vigour of her discipline.

Robert earl of
Gloucester and
the bishops
swear to him.

STEPHEN pleased with being thus recognised by the prelates, whose power, influence, and example, could not but have a great effect over the whole nation⁴,

¹ *Job. Hagulstad.*
W. Malmesb.

² *Flor. Wig. Cont.*

³ *II. Hunt. Ric. Hagulstad.* col. 313.

⁴ *Ib.* col. 314.

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granted them a charter, dated at *Oxford*, in which “ he confirmed the liberties of
“ the church ; disclaimed all simoniacal promotions ; put the persons and estates
“ of all the ecclesiasticks under the cognizance of the spiritual courts and jurisdic-
“ tions of the bishops ; secured the free and undisturbed enjoyment of all the
“ possessions belonging to the church at the death of the *Conqueror* ; promised,
“ either a restitution, or examination of the claims of the clergy ; to such as had
“ been taken away before that event ; confirmed what estates had been since
“ granted ; allowed them to dispose of their effects by will ; and, as he was deter-
“ mined to make no profit of the vacancies of prelacies, he engaged to commit
“ the care of their possessions and revenues to clergymen and persons of reputation,
“ till they were canonically filled. He reserved to himself all the forests belong-
“ ing to the crown before the accession of the late king ; but gave up all the new
“ ones, which *Henry* had erected in such numbers as to be an intolerable grievance ;
“ and promising in general to give his protection and to do justice to all, and to
“ abolish all unjust exactions and methods of oppressions,” concludes his charter
with an assurance, “ that he would cause the good laws and customs in the hundred
“ and other courts to be duly observed.” Among the witnesses to it are put the
names of abundance of persons of the first nobility and the greatest power and dig-
nity in the kingdom : whom *Malmesbury* did not think it worth while to mention,
because they seemed invited to attest it, only to make *Stephen’s* perjury more notorious ;
it being soon after violated in almost every article. For he seized the treasure of
churches, and gave their possessions to laymen ; he ejected the incumbents and sold
them to others ; he raised money by giving abbeys to unworthy persons ; he put
bishops in prison, and forced them to alienate their possessions. What he had
promised the laity, as well as clergy, met with the same neglect ; for going the
Christmas following to hunt at *Brampton* near *Huntingdon*, he held pleas about the
forests of his nobility, and prosecuted them for their woods and hunting. What
encouraged him to break his faith so soon, was probably his late success in quelling
the insurrection of *Baldwin de Redvers* earl of *Devon*, who had fortified the castle
of *Exeter* : but the place being, after three months siege, reduced by famine, and
the *Isle of Wight*, which likewise belonged to this nobleman, submitting readily,
he was forced to seek a refuge in *Normandie*, whither *Stephen’s* affairs called him the
year following.

A. D. 1137.

Affairs in Nor-
mandie.

LXXV. UPON the first news of king *Henry’s* decease, *Geffrey* of *Anjou* and his
wife *Maude* had entered that country with a body of forces : and were readily re-
ceived in *Danfront*, *Hyesmes*, and *Argentan*, and made themselves masters of *Seex*,
and other places, by the assistance of *William de Talevas*, count of *Ponthieu*^a. Their
further progress was obstructed, either by an insurrection in *Anjou*, which recalled
Geffrey, or by the animosity reigning between the *Normans* and *Angevins*, the
effect of the frequent wars between those people. Several of the nobility, not
caring to fall under the dominion of an old enemy, met at *Neubourg* : and invited
Theobald count of *Blois*, to take upon him the government. But hearing soon after,
that his younger brother *Stephen* had been crowned in *England*, and thinking it
inconvenient to have two masters, they all turned about to the latter ; upon whom
their *English* estates depended : and persuaded *Theobald* to return home ; which he
did with great indignation. It was perhaps to flatter his discontent, and to pro-
mote a disunion between *Stephen’s* friends, that *Robert* earl of *Gloucester*, when he
left the country, delivered *Falaise* to *Theobald*, who still had a great number of adhe-
rents : and *Stephen*, not caring to send over a governor with authority to suppress the

^a *H. Hunt.* ² *Ord. Vital.* p. 902. *Jo. Major. Mon. Vita Gaufrredi*, p. 165. *H. Hunt.*

civil wars, which had broken out, in a state of anarchy, between particular noble-
men, the province was miserably ravaged. *Walleran* count of *Meulant*, to whom
he had affianced his daughter, was at last employed to take care of his interests,
and to appease the quarrels of the nobility: but becoming engaged himself in one
with *Roger de Tony* count of *Conches*, the evil grew worse; and these private feuds,
heightened by a diversity of sentiments and affections in respect of *Maude* and *Stephen*,
reduced the country to a state of desolation. *Stephen*, finding there was no
re-establishing good order in *Normandie* without going¹ over himself, sailed thither
in the beginning of *Lent*, this year: and was followed, in a short time, by *Robert*
earl of *Gloucester*; who having concerted measures with the nobility of *England*,
whom he knew to be firm in *Maude's* interest, put to sea on *Easter day*, and land-
ing in *Normandie*, applied himself to form a like concert in that country. Though
he did this with his usual prudence, and knew men so well, that nothing of his
measures transpired, he could not avoid suspicion; *Stephen* being jealous of his
great power, and those about him fully persuaded, that he was entirely in his
sister's interest. *William d'Ypres* was the chief favourite of *Stephen*, and the man
to whose counsels this prince paid the greatest deference: he had brought a strong
body of *Flemings* to his assistance and had been made earl of *Kent* for that service;
he was a foreigner, and wanting to make his fortune out of *English* forfeitures, gave
his master an advice, which could not well proceed from an *Englishman*, to seize
the person of a nobleman of the greatest power and merit in the kingdom upon bare
suspicion. It was much easier in those days to form such a design than to execute
it; some art was necessary to be used to get *Robert* into their power, and *William*
had laid a scheme for that purpose: but the earl, having notice of it from one that
was let into the secret, stood upon his guard, came no more to court; and the
design against him being resented by his friends, who were very numerous, *Stephen*
found himself obliged to accommodate the affair. He swore before the arch-
bishop of *Roien*, that he bore no ill-will to *Robert*, and would make no attempt
for the future on his person: but this outward reconciliation, upon which the earl
put the best face he could, did not make him neglect the precautions necessa-
ry for his safety; well knowing the other's enmity, and feeling some effects of
it in the defalcation of his possessions.

WHEN *Stephen* landed at *la Hogue* in *Normandie*², he was joined by his brother
the count of *Blois*: and going together in *May* to visit *Louis le Jeune*, king of
France, they made a treaty with him; by which the latter agreed to give his sister
Constance of *France* in marriage³ to *Eustace* son of *Stephen*, with the investiture of
Normandie. The count of *Anjou* in the mean time had taken *Mortain*, *St. Hilaire*,
and *Pont-Orson*: and *Stephen* assembling all his forces, resolved to attack him at
Argentan; whither he had retired, after his attempt of surprizing *Caen* had mis-
carried. The *Normans* in his army opposed this resolution; being much discon-
tented at the distinguishing favours shewed to the *Flemings*; which caused such a
rancour between the two nations, that neither would trust the other in a day of
action: and when they were advanced to *Lisieux*, it broke out into an open quar-
rel, upon a dispute about the chief command, between *William d'Ypres* and *Re-
naud de St. Valery*. The *Boulonnois* and *Flemings* taking part with the former, and
the *Normans* siding with the latter, the two corps came to an engagement; which on
both sides was carried on with great fury, and ended with great slaughter. *Ste-
phen's* chief confidence was in his *Flemings* and other foreign troops; and whether
he declared himself in their favour on this occasion, the *Norman* nobility all left

STEPHEN.
A. D. 1137.

¹ *Flor. Wig. Cont. W. Malmesb.* ² *Ord. Vit.* p. 909, 910. ³ This marriage, as the parties
were very young, did not take effect till *Feb. A. D. 1140. Chron. Gervaf. col. 1315. Flor. Wig. Cont.*

STEPHEN. him, without taking leave or giving him the least notice; and carried off with them all their followers. *Stephen*, highly exasperated, pursued the deserters to *Ponteau-de-Mer*; where overtaking *Hugh de Gournay*, and young *William de Warrenne*, he tried in vain to gain them by caresses and menaces. Full of suspicions, and not knowing whom to trust, he was forced to purchase a truce for two years with *Geffrey Plantagenet* count of *Anjou*, by an annuity of five thousand marks; and to settle another of two thousand on his elder brother *Theobald* of *Blois*, in compensation for his pretensions to the duchy. The civil wars between the nobility still continued to infest the country: and *Stephen*, leaving *William de Roumare* with the viscount *Roger* to take care to appease them, returned in *December* to *England*, with *Wallran* count of *Meulant*, and *Robert* earl of *Leicester*; the earl of *Gloucester* staying behind, at full liberty to take his measures for the service of *Maude* the empress.

Troubles in
England.

LXXVI. STEPHEN was called back thither by the advices he received of great disturbances breaking out in various parts of the kingdom, which he was in no good condition to suppress; having already squandered away all the money that he found in his predecessor's treasury. The general license he had given for the erecting of castles, had proved a source of infinite mischief to the nation; the country people had been put to insupportable hardships and almost killed in building them, in every part of the realm, and were daily harassed by the garrisons put into them as soon as the fortifications were finished. Parties of soldiers sallying thence day and night, seized all persons, men and women, that were thought to have money: and to force them to discover it, thrust them into damp and nasty dungeons among toads and snakes, hung some up by the feet, stifling them so with smoke, and others by the thumbs or head, and then burning their feet; squeezing and breaking their limbs in thrusting them into narrow coffers, strewed with sharp stones, and using various kinds of torture, too tedious and shocking to be particularly mentioned. It is on this occasion that we first find notice taken of men being loaded with girds on their hands and feet, and chains about their necks, so that they could neither sit, lye, nor sleep, and yet were forced to bear all the weight of their fetters: a barbarous and illegal practice, which served for a precedent to that of inhuman goalers in more modern times; who, under pretence of keeping prisoners safe, but really to extort unreasonable sums from them, make use of the like arts of cruelty, and, what is still more strange, do it with impunity, in a nation that prides itself in its freedom. Contributions were raised in all parts; gelds laid upon towns; and when the wretched inhabitants had nothing more to give, the towns themselves were fired; churches burnt; the possessions of the clergy, monks, and prelates ravaged; the country people, finding no protection, deserted the villages; and lands being left untilld, all kinds of provision became excessive dear; the poor perished by want; some, formerly rich, begged from door to door; others fled the kingdom. Many thousands died of famine; and though more mischief was never done by Pagans, nor did any country ever suffer greater calamities, or of more various kinds, so that it is impossible to recount them all: yet the *Saxon chronicle* observes, that they lasted all the time of this usurpation, every day, during *Stephen's* government, being worse than the former. His favourite mercenaries, the *Flemings*, *Bretons*, and other foreigners, that he had taken into his pay, and entrusted with the guard of the kingdom, instead of preventing or redressing these grievances, increased them by their oppressions; being all profligate

! *Chron. Sax. an. 1137.*

rafcals, ufed from their firft handling of armes to continual robberies and plunder, and continuing the fame practifes in this country. STEPHEN.
A. D. 1137.

It is no wonder that a nation, labouring under fuch heavy calamities, fhould grow desperate; and that people fhould be ¹ ripe for infurrections in all places, when reftained by no principle of duty or confcience, to an ufurped government. A plot was formed for killing all the foreigners on a certain day, driving the *Normans* out of the kingdom, and putting *David*, king of *Scotland*, the next lineal heir of the *Saxon* race of kings, upon the throne of *England*: but *Nigel*, bifhop of *Ely*, difcovering it, acquainted the prelates and nobility therewith; and *Stephen* A. D. 1138. haftened his return out of *Normandie*, to prevent its execution. Several of the confpirators were taken, convicted, and put to death by hanging, or in fome other manner; many, confcious of their guilt, fled away before they were accused: the more powerful flood on their defence, and treated with the *Scots* and *Welsh* for affiftance on occafion. The fons ² of *Robert Beauchamp* had fortified the caftle of *Bedford*; upon hearing that *Stephen* had given *Simon Beauchamp's* daughter, with her father's honour, to *Hugh le Poer*; being afraid of lofing what they claimed as their inheritance. This was enough to make them fufpected of the confpiracy; and before the *Chriftmas* holidays were expired, *Stephen* invefted the place, contrary to his brother, the bifhop of *Winchefters*, advice: but having lain before it five weeks, without making any progrefs in the fiege, he was forced to have recourfe to the bifhop's mediation; who foon made a treaty with the befieged, and the place was yielded.

LXXVII. *DAVID*, king of *Scotland*, claiming the county of *Northumberland* as the right of his fon *Henry* ³, had invaded it the year before: but *Thurftin*, arch-bifhop of *York*, going to *Roxburg*, prevailed with him to make a truce, till *Stephen's* return from *Normandie*; when the *Scotch* embaffadors were abfolutely refufed a grant of that country ⁴. This occafioned another invafion in the beginning of this year, which *Stephen* marched with his forces in *Lent* to oppofe: and advanced to *Roxburg*, in the neighbourhood of which place the *Scotch* army lay ftrongly encamped. It was equally dangerous to befiege the town, or attack the enemy in that fituation: and fome difcovery being made of treachery among his followers, *Stephen* thought fit to retire, without making any attempt. Upon his retreat, the *Scots*, after *Eafter*, wafte *Northumberland*, and took *Norham*; fending out various parties to over-run the country: and at the latter end of fummer, all their forces joining together, advanced as far as *Baggamoore*, about two miles from *North-Allerton* in *Yorkfhire* ⁵. There *William* earl of *Albemarle*, *Walter Eſpec*, *Roger Mowbray*, *Robert de Bruce*, *Bernard de Baliol*, *Walter de Gant*, and moft of the barons of the north, meeting them with an *Engliſh* army on *Auguſt* 22, a bloody battle enfued; called the *Battle of the ſtandard*, from a large chariot upon wheels, in which was fet an high pole, like the maſt of a ſhip, on the top whereof flood a crofs, and under it hung a banner. The *Engliſh*, drawn up in one body about this ſtandard, with the moſt experienced of their troops, ſome diſmounted cavalry armed with lances, and intermixed with archers in the front, expected the attack of the enemy: who holding a council of war about the manner of beginning the engagement, diſagreed in their ſentiments. The king and moſt of the nobility were of opinion, to begin it with the archers and well armed part of their forces, who were an equal match to the *Engliſh*: but the *Galloway* people, deſcended of the ancient

¹ *Ord. Vital.* p. 912. ² *Ib.* p. 915.

³ *Maude*, *Henry's* mother, was daughter and heir to *Maltheſ*, hereditary earl of *Northumberland*. See *Dugdale's Barorage*, vol. i. p. 58, 61.

⁴ *J. Hagulſlad.*

⁵ *Ric. Hagulſlad. De geſtis*

Stephen. Alired. Rieval. De bello ſtandardii.

STEPHEN. *Britains*, and like them, fighting without any defensive armour, and with flight weapons of offence, fit only for the sudden incurſion of parties, claimed it as their right to make the firſt onſet; not doubting but their natural courage would ſupply the defect of armour. Others thought it dangerous to begin an engagement on ſuch unequal terms; it not being likely, that unarmed men ſhould be able to cope with others well armed; and in caſe of their being put to flight, they might throw diſorder, or at leaſt terror, into the reſt of the army. The *Galloway* men however inſiſted on their right of being in the van: yet king *David* did not care to gratify them; till the diſpute occaſioning ſome high words between the earl of *Stratherne* and *Alan de Percy*, being afraid of the ill conſequences of a quarrel, he haſtily gave orders for the *Galloway* men to form the firſt battalia, and begin the engagement. The ſecond was commanded by his ſon, a beautiful, gallant, amiable, and deſerving prince, who had under him a good body of knights and archers, with the *Cumbrian* and *Tweeddale* militia: and was aſſiſted by *Eufſtace Fitz John*, a great *Engliſh* nobleman, lord of *Alnewick* and *Malton*, much eſteemed by the late king *Henry*, and conſulted by him in all matters of moment, on account of his excellent judgment and conſummate wiſdom; but who attending the court as uſual, had been there arreſted by *Stephen*, contrary to law, and detained priſoner till he ſurrendered *Bamburg* and other caſtles which *Henry* had committed to his charge; and in reſentment of this uſage, had joined the enemy. The third body was compoſed of the *Scotch* Highlanders, and the forces of *Lothian* and *Murray*; the king himſelf being at their head with a party of *Engliſh* and *Norman* knights for the guard of his perſon.

THE *Galloway* corps, making, according to their cuſtom, three huzzas, began the charge with ſuch fury, that the *Engliſh* lancers at firſt gave ground: but being ſuſtained by the firmneſs of the reſt of their body, and deriving great advantages from their armour in a cloſe engagement, whiſt the enemy, continually galled by the archers, could ſcarce ſee where to direct their blows; the *Galloway* men, having loſt their two commanders *Ulgrick*, and *Donald*, were broke, and fled in great confuſion. The prince of *Scotland*, piercing through the part of the *Engliſh* army which was oppoſed to him, and paſſing beyond the ſtandard, fell upon a party of cavalry poſted behind the main body, with the horſes of the diſmounted cavalry: and drove them before him the ſpace of two furlongs, ſuppoſing that he was followed by the reſt of his forces. The *Engliſh*, terrified with the impetuouſity of the prince's attack, were on the point of quitting the field, when they were ſtopped by the ſtratagem of an artful experienced warrior: who cutting off the head of a man that was ſlain, held it up on high with his lance, crying out, it was the head of the king of *Scotland*; and brought them on again to renew the battle with greater vigour than before. The *Scots*, diſcouraged by the flight of the *Galloway* men, and by the rumour of their king's death, made little reſiſtance in any part, flying on all ſides: ſo that few were left about *David*, who had hitherto fought on foot; but was now forced, by his guard of knights, to mount on horſeback, and retreat; which he did in good order. Thoſe that fled, ſeeing the royal banner, on which a dragon was painted, waving in the air, concluded immediately, that the king was not dead: and rallying, joined his corps in ſuch numbers, as to render it terrible to the purſuers. Some of theſe being taken, the reſt kept at a diſtance: and ſuffered him to retire unmoleſted to *Carlisle*; where he was two days in great pain for his ſon, of whom he could hear no tidings. The prince finding himſelf with a few of his followers in the miſt of the *Engliſh* troops, made them throw away their marks of diſtinction: and mixing with the enemy, as if a part of their corps, found means at laſt to get from them; and paſſing through bye-ways, and many hardſhips, got at laſt to *Carlisle*, the third day after his father's arrival.

The

The *Scots* did not lose any great number of men in this battle: but some thousands of those that fled dispersedly were slain in the different counties, through which they endeavoured to make their way to *Scotland*. *Stephen* was much elated at the news of this victory: and to reward *William* earl of *Albemarle*; who seems to have commanded in chief, and *Robert de Ferrers*, who had brought a good body of men to his assistance, created the one¹ earl of *Yorkshire*², and the other earl of *Derby*.

THIS defeat did not hinder the king of *Scotland* from besieging the castle of *Werk*: but finding it too well defended to be taken by force, he turned the siege into a blockade, and reduced it at last by famine³. Nor could he be prevailed upon by the pressing instances of the *Pope's* legate (who came to him at *Carlisle* four days before *Michaelmas*) to make a peace with *Stephen*; all that he would consent to, being a milder way of making war, and a suspension of all other hostilities, except the siege of *Werk*, till *Martinmas*. This legate was *Albericus*, bishop of *Ostia*, being sent by *Pope Innocent II*, to exercise the papal jurisdiction here, in the time of an usurper; who had courted him to supply the defects of his title, and was too much distressed in his affairs, to venture upon opposing his proceedings in any instance. *Henry* bishop of *Winchester*, had, upon the death of *William* archbishop of *Canterbury*, obtained a grant of the legateship of *England*: but the condition of the times was so favourable to the *Pope's* views, that he thought it proper to send a legate extraordinary, styled *à latere*, to visit all the cathedrals and monasteries in the kingdom. This general visitation, the first of its kind in *England*, was carried on without any opposition⁴, after *Alberic's* legatine powers had been approved by *Stephen* and the nobility: who made at first some difficulty in the matter; the one misliking them, because they caused a suspension⁵ of his brother *Henry's* legation for a time, the other deeming them derogatory of the freedom and independency of the church of *England*. The legate afterwards summoned⁶, and held on the third *Sunday* in *Advent*, a synod of the prelates and clergy of the kingdom in *Westminster Abbey*; "wherein several canons were made against lay-investitures, or patronages of ecclesiastical benefices; against sons succeeding their fathers in livings⁷; against the marriage of the clergy; against their taking up arms in war; against their imprisonment, or other insults offered to their persons, and the seizure of their possessions; and against the erecting of churches or oratories on any one's estate, without a license from the bishop of the diocese." At the conclusion of this synod, a delegation of the monks of *Canterbury* chose on *Saturday, Christmas-eve*, for archbishop of that see, which had been vacant a little more than two years, *Theobald*, abbot of *Bec*: who being approved by *Stephen*, and accepted by the bishops, was consecrated by *Alberic* about *January 6*, in the year following, and accompanied him to *Rome* in order to get his pall⁸, with the bishops of *Rocheſter*, *Worceſter*, and *Exeter*, and four abbots deputed by all the prelates of *England*, to assist at a papal synod to be there held about *Mid-lent*.

WHAT the legate could not effect by the most earnest intreaties with *David*, king of *Scotland*, was brought about after his departure, by the address and management of that prince's niece *Maude*, wife to *Stephen*⁹: who made a peace with that king, on *April 9*, at *Durham*, upon the cession of all the county of *Northumberland* to prince *Henry*, except *Newcastle* and *Bamburg*, the value whereof was to be

¹ *Joh. Hagulſtad*, col. 262. ² I have seen a deed of this *William*, granting to the hospital of *S. Peter* at *York*, a toft in *Heydon*, and a mark a year; in which he assumes the style of earl of *Yorkſhire*, and directs his high sheriff of *Yorkſhire* to pay the said mark annually. He is also so styled by *Joh. Hagulſtad*, col. 268, & seq. ³ *Ric. Hagulſtad*,

col. 323, 326.

⁵ *J. Hagulſt.* col. 265.

col. 1346. *Ric. Hagulſtad*, col. 327.

⁷ This was generally done by a father's resigning a living to his son, reſerving a pension out of the profits to himself. See *Rymor's Fœdera*, t. i. an. 1144.

⁸ *Ib.* col. 329.

⁴ *Gervaf. Cant.* col. 1344.

⁶ *Chron. Gervaf.*

⁹ This

made

Joh. Hagulſtad, col. 265.

STEPHEN. made good to him by lands in the south of *England*. In consequence of this treaty, all the barons of that county became vassals, and did homage to the prince¹ of *Scotland*, saving the fealty they had sworn to *Stephen*: and hostages being given for its performance, *Henry* attended *Maude* to *Nottingham*; where they met her husband, who had been taken up, during all the northern transactions above-related, in opposing various insurrections which had been made the year before in different parts of the kingdom.

Insurrections there, and the bishops of *Sarum* and *Lincoln* arrested.

LXXVIII. STEPHEN was very profuse² in his grants of honours and castles; and had created several earls, giving them estates out of the crown lands: but the more lavish he was in granting, the more greedy were people in asking; and if refused, they presently fortified their castles, and plundered the neighbourhood. He was in a manner governed by *William de Ypres*, and heaped such extraordinary favours on him, and other foreigners that came over with him, that it gave a general distaste to the *English* nobility: who looking upon themselves as despised, and being free in expressing their discontent, afforded an occasion to such as had *Stephen's* ear, to infuse into a mind naturally jealous and credulous, suspicions of their fidelity; which once entertained, were soon followed by a too hasty seizure of many of their persons and estates. This made others stand upon their defence³: *Geffrey de Talebot* held the castle of *Hereford*; *William de Mohun* maintained himself in that of *Dunstar*; *Ralf Louvel* in *Castle-Cary*, *Robert*, son of *Alured de Lincoln*, in *Wareham*, *Gualchelm* in *Okeham*, *William Fitz John* in *Harpetre*, *Paynel* in *Ludlow*, *William Fitz Alan* in *Shrewsbury*, and others in different places. *Robert* earl of *Gloucester* held the castles of *Dover*, *Ledes*, and *Bristol* by the gift of the late king: and being violently suspected by *Stephen*, it was resolved to reduce those castles; the first of which was surrendered by *Walchelin* the governor, and the second was also taken; but all attempts on the last proved fruitless. *Gilbert Strongbow*, second son of *Gilbert* earl of *Clare*, being instrumental in persuading *Walchelin* to submit, was created earl of *Pembroke*; *Robert de Ferrers* earl of *Derby*, gained his nephew *Gualchelm*; *Talebot* was driven out of *Hereford*; *Shrewsbury*, after holding out a month, was taken by storm, and *Arnulf de Hesdin*, governor of the castle, with ninety-three of the garrison, were either hanged or put to death in some other manner. This success terrified others into a submission; but *Paynel* still holding out *Ludlow*, *Stephen*, attended by the prince of *Scotland*, marched from *Nottingham* to reduce it: and though he was obliged to raise the siege, had an opportunity of shewing his personal valour in the rescue of that prince; who being drawn from his horse by an engine, with an iron hook at the end, let down from the walls of the castle, had like to have been taken prisoner. From thence, having erected two forts to block up the place, he went to *Oxford*⁴: where he took a step that ruined all his interest with the clergy, and rendering him infinitely odious to the nation, destroyed all the benefit he might else have derived from all his successes.

STEPHEN was exceeding active, always employed⁶ in expeditions, and continually marching from one castle to another, to reduce his adversaries; which he was glad to do at any rate, and frequently made terms with them that cost him dear: but there was no end of such fortresses, and he now felt sufficiently the ill consequences of the general license, he had given all his barons and freeholders, for erecting castles in their manors. Some prelates had made use of this license, particularly *Roger* bishop of *Salisbury*; who had fortified *Old Sarum*, and built the castles of *Sherburn*, *Malmesbury*, and the *Devises*; and his nephew *Alexander*

¹ Ric. Hugulst. col. 330.

² W. Malmesb. Novel.

³ H. Hunt. Ord. Vital. p. 917.

⁴ H. Hunt. Hoveden.

⁵ Flor. Wig. Contin. Chron. Gervaf. col. 1345.

⁶ Malmesb. Novel.

bishop of *Lincoln*, who had erected those of *Newark* and *Sleford*¹, with a strength and magnificence that raised the envy of the courtiers. *Robert* earl of *Gloucester* had lately, upon the attack of his castles, sent messengers out of *Normandie* to defy *Stephen*: charging him with a breach of faith to himself, and with perjury to *Maude* the empress, whose right to the crown he had invaded; and renouncing his fealty and homage to him, because he had unlawfully usurped the kingdom. It was natural to expect, that this open defiance, dictated by the rules of honour received in those days, would be followed by an attempt upon the kingdom: and it being currently reported that *Maude* and *Robert* were coming over, *Stephen's* favourites represented to him, that the two prelates had fortified their castles, with a design of delivering them into the hands of his enemies, and persuaded him to seize their persons. *Roger* had been raised, by the favour of king *Henry*, from a poor cure in *Normandie*, to the see of *Sarum*, and to the highest dignities in *England*; which he had governed during the greatest part of that king's reign, and was entrusted with the guardianship thereof, at the time of his decease. He had amassed an immense wealth, and by the power he had in his hands, had contributed more than any man to the placing of *Stephen* on the throne; a service which perhaps might have engaged his friendship and confidence, could a perjured traitor deserve any. But there being no reason for this usurper to expect he would be more faithful to him, than he had been to his old master and benefactor's family, he had, by a fate common to all employed under the late king, been first treated with neglect, and soon after came to be suspected. He was at his castle of *Malmesbury*, with his nephews, *Alexander* of *Lincoln* and *Nigel* bishop of *Ely*, when he was sent for to court, under pretence of being consulted about some important affairs: and as he could not imagine, how a prince under the management of his favourites should be either allowed to ask, or willing to follow, his advice, his heart² misgave him, when he received the message, and he presently suspected it, as designed to cover some ill design. He went however to *Oxford*, but accompanied by his two nephews, and attended by a great number of followers: who becoming engaged in a quarrel with the retinue of *Alan*, count of *Dinan* in *Bretagne*, about lodgings, a knight was killed and several persons wounded in the conflict. This fray raised (as *Ordericus*³ says) designedly by *Walleran*, count of *Meulant*, his brother *Robert*, and count *Alan*, served for a pretext to take the bishops of *Sarum* and *Lincoln* into custody, till they delivered up their castles: but *Nigel*, who lodged without the town, made his escape to the *Devises*. *William d'Ypres* was sent immediately with an army to besiege the place; but it being too strong to be easily taken, *Roger* was brought before it, and threatened with being starved to death, if the castle was not delivered; which produced the desired effect; the bishop of *Ely* surrendering it upon condition of having his liberty. There was found in it to the value of forty thousand marks of *Roger's* treasure, which *Stephen* seized to his own use; a supply, which in his distress for want of money, was very seasonable, and gave him as much pleasure, as being master of the bishop's castles.

THIS affair made a great noise, and caused heavy complaints of the violation of ecclesiastical privileges, which *Henry*, bishop of *Winchester*, the Pope's legate, thought himself particularly obliged to vindicate: and convening a council on Aug. 30, at *Winchester*⁴, summoned his brother *Stephen*, to attend it, and answer for his conduct in seizing the two bishops, whose offences, if guilty of any, he affirmed were cognizable, not in the king's court, but by an ecclesiastical synod.

¹ Brompton, *H. Hunt.*² *Malmesb. Novel.*³ P. 919, 920. *Gest. Regis Steph.* 944, 945.⁴ *W. Malmesb. H. Hunt.*

STEPHEN.

A. D. 1139.

Henry in his speech to the council, at which archbishop *Theobald* and most of the bishops were present, set out the fact in the most odious colours: and desiring them to consult what was fit to be done, protested that neither the loss of his brother's friendship, nor that of his own head, should deter him from putting their sentence in execution. *Stephen* sent some earls, with *Aubrey de Ver*, an artful speaker, and well versed in law affairs, to plead his cause, and to "accuse the bishop of *Salisbury*, not only of the sedition raised at *Oxford* by his retinue in confidence of their master's power, but also of some points of disrespect in his own behaviour; of appearing rarely at court; of secretly favouring the enemies of the government, and of intending, if reports might be credited, to declare for the *Empress* upon her landing. It was urged further, that he was seized not as a bishop, but as the king's servant, who had transacted his business, and received a salary for it; that his castles were not taken by force, but freely rendered, to escape the penalties, which the tumult raised by his servants in court, had merited, and that the sums of money found in his castles, had been, in the time of the late king, diverted from the exchequer, and were therefore either justly confiscated, or received as a composition for *Roger's* offences." The bishop of *Lincoln* had nothing laid to his charge, besides an old grudge against count *Alan*; which served to make him deemed the author of the late tumult and breach of peace, committed by his followers. The bishop of *Salisbury* replied, that he had never been the king's servant, nor received his wages: and demanding justice, declared, that if he was denied it there, he would seek it in an higher court. The legate insisted, that till the bishops were proved guilty of the crimes laid to their charge, they ought, according to the practice in secular courts, to be restored to their possessions: but after a debate, the affair was adjourned to the next day, upon *Stephen's* request. *Hugh*, archbishop of *Roïen*, then undertook his cause: and maintaining that ecclesiasticks were not allowed by the canons to have castles, required that the bishops should prove their right to them by the canons; before they were restored to them; and if they had a right, yet the keeping of them should be left to the king, in times of danger and suspicion. *Aubrey de Ver* insinuating to them the mischiefs they might suffer from *Stephen's* resentment, in case they appealed to *Rome*, and that he would not submit to a canonical censure, the council broke up the third day, *Sept. 1.* without proceeding to a sentence, not daring to excommunicate a crowned head without the Pope's knowledge, and having reason to apprehend some danger of their lives, if they carried matters to such an extremity. The legate however, with the prelates, used the strongest instances to engage *Stephen* to restore the bishops possessions; representing the ill consequences of a breach between the civil and ecclesiastical powers, and how fatal it would be to his interests: but he was deaf to all remonstrances and still detained the castles.

LXXIX. THE restoring of the bishops castles was probably to have been attended by a restitution of the effects of *Roger*; who, unable to bear adversity, died on the 4th of *December* following, of grief and vexation for his losses; and *Stephen* was in too much distress for money to submit to that condition. It is otherwise inconceivable how his counsellors, bad and corrupt as they were, could put him upon persisting in a step, which all the writers of the age exclaim against, as the most unpolitick he could have taken; which invading the privileges of the clergy, lost him the hearts of the powerfulest body of men in the kingdom, and was, at the same time, too arbitrary to please the laity. The evil consequences thereof already appeared in a great degree: and were felt soon after in a much greater; when *Maud* the empress, and *Robert* earl of *Gloucester* landed, on *Sept. 30.* at *Arundel* in *Sussex*.
The

The truce with *Geffrey Plantagenet* count of *Anjou*, expired this year; after being violated in several instances: and *Geffrey* falling upon the *Costentin*, had reduced a great part of it under his obedience. *Robert* being master of *Caen* and *Bayeux*, delivered them up to that prince; who soon after took *Lisieux*, and was continually making a progress in subjecting a country, which had no army to defend it, and was left by *Stephen* in a kind of anarchy without a governor. To facilitate *Geffrey's* conquests, it was resolved that *Maude* and *Robert* should make a diversion in *England*; where their friends expected them, and waited only their arrival for making a general insurrection. To prepare their way, they ¹ sent before them *Baldwin de Redvers*; who landing at *Wareham*, was received into *Corfe-castle*; where *Stephen*, quitting the siege of *Dunstar-castle*, soon after besieged him: but finding the place impregnable, and hearing that *Maude* was ready to make a descent nearer *London*, drew off his forces, in order to take measures for intercepting her passage by sea, and to reduce some places which lay ² in her way from the coast to *Gloucestershire*; where her friends were most united, and had the greatest body of their forces. He was at the siege of *Marlborough*, when advice was brought him, that *Maude* and *Robert* were received into *Arundel-castle* by *Adelais*, relict of the late king, but since his death married to *William de Albiney* earl of *Suffex*: and immediately raising it, marched to attack them before they were joined by the disaffected *English*; hoping to put an end at once to all his troubles by getting the two *Chieftains* into his power. When he drew near *Arundel* he found that they had brought over only an hundred and forty knights; and ³ that the earl of *Gloucester*, with twelve of these and their attendants, had gone from thence; and being met on the road by *Brian Fitz Comte*, lord of *Wallingford*, had got safe to *Bristol*. The queen *Dowager* had invited her daughter-in-law over by several special messengers ⁴: but terrified at the approach of *Stephen's* army, and the danger of losing her estate and dignity in *England*, sent him excuses for her reception of his enemies; protesting that she had entertained them, not with any ill design against him, or in consequence of any invitation on her part, but only as her near relations and old acquaintance in the way of hospitality; which he could not reasonably expect that she should violate. The strength ⁵ of the castle, not to be taken without a long siege, during which *Robert* earl of *Gloucester* might raise a powerful army and reduce a great part of the kingdom, engaged *Stephen*, agreeable to his brother *Henry's* advice, to accept these excuses; and to give *Maude* leave to join her brother, that he might carry on the war against them both at once in the same quarter. The bishop of *Winchester* and *Walleran* count of *Meulant*, conveyed her to *Calne* in *Wiltshire*; and the latter staying there, the bishop conducted her to the place she was to be received by her brother *Robert*. She went from thence to *Bristol*: and to be in a different place from her brother, removed on *Oct.* 15, to the castle of *Gloucester*; where she was honourably subsisted for two years at the expence, and found a safe retreat under the protection, of *Milo*, to whom *Robert* had committed the custody of it in the life of the late king *Henry*.

Milo was the son of *Walter* constable of *England*, or in the stile of that age, *Captain of the Guard*⁶, or the constable of the king's household; and had succeeded his father in that dignity: which, though he was deprived of it for some time by *Stephen*, continued by hereditary descent in his family. He was one of the few men of honour and virtue which those times afforded in *England*: eminent for his prudence, wisdom, military skill, and valour; and powerful by his alliances, reputation, and large possessions in the shires of *Gloucester*, *Hereford*, and *Brecknock*⁷.

¹ *Gesta Regis Steph.* p. 946. ² *Chron. Gervaf.* col. 1349. ³ *W. Malmesb.* ⁴ *Flor. Wig. Cont.*
⁵ *H. Hunt.* ⁶ *Dugd. Baronage*, t. i. p. 537. ⁷ *Ex magno Registro in Offic. Ducat. Lancastr.*

STEPHEN.
A. D. 1139.

This last honour he enjoyed in the right of his wife *Sibyll*, eldest daughter of *Bernard de Neumarché*, whom the late king, of whose council he was one of the chief members, had given him in marriage. He had lately distinguished himself by a very generous and gallant action in the relief of a distressed lady, the earl of *Chester's* sister; whose husband *Richard Fitz Gilbert*, lord of *Cardiganshire*, having been surprized and slain in an incursion made by the *Welsh*, upon the death of the late king, she was forced to shut herself up in one of his castles, for immediate safety, but under all the extremities of terror and anguish; besieged and furiously attacked by a barbarous enemy, from whom she had too much reason to dread all that lust or revenge could dictate; destitute of necessaries either for her defence or subsistence, and without any prospect or reasonable hopes of succour. In this desperate condition, *Milo*, prompted by his natural magnanimity, and a generous compassion for the distressed, resolved to attempt her relief: and marching by unfrequented ways, through woods and over mountains, under the greatest difficulties, and with the extremest danger to himself and his party, got at last to the castle; took the lady and all her retinue under his escorte, and after incredible fatigues, with admirable conduct and glory equal to the success, brought them off in safety. He was cousin-german to *Brian Fitz Comte*; who in right of his wife *Maude*, sole daughter and heir of *Robert d'Oily*, given him in marriage by the late king, enjoyed the whole honour of *Wallingford*: and was also in his own right lord of *Overwent*, and the honour of *Abergaveny* in *Monmouthshire*. *Robert* earl of *Gloucester* was lord of all *Glamorganshire*, and these three great noblemen possessed of those counties in *South-wales* and of all the marches thereof, full of hardy, brave, and experienced soldiers, found no difficulty in raising a body of ten thousand men in those countries to support the cause of the empress.

STEPHEN, in hopes of suppressing his enemies before they had assembled their forces, invested *Wallingford*²: but finding it too strong to be taken without lying longer before it than was convenient for his affairs, contented himself with blocking up the place by two forts, which he built against it to curb the garrison. From thence, taking in his way the castles of *Cerne* and *Malmesbury*, he marched to *Troubridge*, and lay before it some time, battering it with military engines: but with small hopes of taking it, by reason of the brave defence made by *Humphrey de Bobun*. In the mean while *Milo*, marching with a party from *Gloucester*, took by storm the two forts lately erected before *Wallingford*, making most of the garrison prisoners: and returning thence, reduced all the castles that had not yet submitted to *Maude* in *Herefordshire*. A party of the earl of *Gloucester's* troops plundered and set fire to *Worcester*; in revenge whereof *Walleran* count of *Meulant*, to whom *Stephen*, upon the promotion of *William Beauchamp* to the office of constable of *England* in *Milo's* stead, had lately granted the earldom of *Worcester*, gathered a body of forces, and falling upon *Sudeley*, plundered the country adjoining. The length, fatigues, and fruitlessness of the siege of *Troubridge*, making many of the barons quit the army, *Stephen* raised it: and leaving a strong garrison in the *Devises* to oppose the enemies excursions, retired to *London* to recruit his forces. Every part of the kingdom⁴ was now harassed by the lords of castles, who played the tyrant in the neighbourhood of their fortresses; every one pretending to coin money and to exercise the rights of majesty. *Robert* did all that was possible to prevent such excesses in those that sided with *Maude*, and succeeded in a great degree: but nothing could restrain the *Flemings* and *Bretons* in the pay of *Stephen*. This prince did not want vigour, but he ruined all his affairs by the little regard he

¹ *Gest. Reg. Steph.* p. 930.
Wig. Cont. ⁴ *W. Malmesb.*

² *Gest. Reg. Steph.* p. 947, 948.

³ *Malmesb. H. Hist. Flor.*

shewed to justice, and the shifts which, however ruinous they were to the kingdom, and disadvantageous they proved to himself in their consequences, he had recourse to in his distresses. He had, by his prodigality in a time of quiet, left himself so bare of money, that he had not wherewithal to defray his expences: and there being no means of levying a regular tax in a season of general tumults, he tried to supply his wants by two wretched expedients; by diminishing the weight of the coin from what it was in his predecessor's reign, which encouraging others in the like practice, the money became so horribly adulterated, that out of ten or more shillings, scarce twelve pence would be taken; and by making churches, abbeys, every thing sacred, as well as civil, venal. The difficulties he met with in reducing castles, held out against him by his enemies, put him upon arbitrary ways of getting into his hands those of others, whom, giving a loose to his jealous nature, he was pleased to suspect of disaffection. Possessed by this imagination, he caused several persons to be arrested¹, and forced them to deliver up their fortresses, with whatever else he thought fit to demand: being assisted in this odious measure by his brother, the bishop of *Winchester*²; who adding to violence a breach of hospitality, seized some of the nobility, whom he had invited to dinner, and detained them till they had given up their castles.

STEPHEN.
A. D. 1139.

THESE proceedings naturally made every body afraid of coming to court, and of trusting themselves to *Stephen's* power³: hence the usual assemblies of the prelates and nobility at the feasts of *Christmas* and *Easter* came to be left off; and when this prince kept his *Whitsontide* in the tower of *London*, he had no body with him but the bishop of *Secz*; distaste or fear hindering all others from coming. After *Stephen* had passed the *Christmas* holidays at *Salisbury* thus unattended⁴, he went to *Reading*: and marched thence with a body of forces to the *Isle of Ely*; to wreak his spleen against bishop *Nigel*, whose onely crime was his being nephew to *Roger*, late bishop of *Sarum*, and to seize his castle; which that prelate quitted upon his approach, and fled to *Robert* earl of *Gloucester* for protection. From thence he passed to *Worcester*; and whilst the earl of this place, in a sudden excursion, burnt *Robert's* fine seat, and all the houses within a mile of *Tewksbury*, he marched with a numerous army to attack *Hereford*: but not meeting the success he expected, retired inglorious to *Oxford* and *Winchester*. The earl of *Gloucester*⁵, in the mean time, left no means unessayed to engage all the nobility in the interests of *Maude*: and many whom he could not persuade to join with him openly, he yet prevailed upon to be quiet. It was with a view to advance her cause, that he procured a match for his brother *Reginald* (called in *Normandie*, where he had done her great services, *Renaud de Dunstanville*) with the daughter of *William Fitz Richard*, a nobleman very powerful in *Cornwall*; who delivering up the king's castles with the county to his son-in-law, *Reginald* was thereupon created earl of *Cornwall* by the empress⁶. *Stephen* flew thither immediately: and having recovered some of the castles, and left count *Alan* with a body of men to defend them, returned with so much expedition, that he prevented earl *Robert's* design of intercepting him in his passage. The miserable condition of the kingdom, divided between two parties, but more generally inclined to *Maude*, made the more moderate of each wish for an accommodation: and *Henry*, bishop of *Winchester*, thought it agreeable to his legatine character to propose a treaty. This was managed in *Maude's*⁷ behalf, by her brother *Robert* and others, and on *Stephen's* by his queen, the legate, and *Theobald* archbishop of *Canterbury*. The commissioners met near *Bath*, and had several conferences, in which the empress appeared much inclined to peace, and

A. D. 1140.

¹ *Ib.* Hunt. ² *M. Paris.* ³ *Hoveden*, p. 485. *Policratic.* l. vi. c. 18. *IV. Malmesb.*

⁴ *Flor. Wig. Cont.* ⁵ *IV. Malmesb.* ⁶ *Gest. Reg. Steph.* p. 949. ⁷ *IV. Malmesb.*

STEPHEN. ready to refer all her concerns to the award of the prelates: but *Stephen*, governed by his favourites, who had an utter aversion to peace, absolutely rejecting that arbitration, the treaty ended without any effect. The legate, in hopes of getting over all difficulties by the authority or interposition of the king of *France*, *Theobald* count of *Blois*, *Stephen's* elder brother, and some foreign prelates of the greatest character, went, at the latter end of *September*, over into *France*, to consult them about proper measures for composing the differences in *England*. He returned at the end of *November*, bringing with him such propositions for peace, as found a ready assent from the empress: but *Stephen*, delaying his answer from day to day, and at last absolutely rejecting them, the legate, in despair of success, kept himself quiet, without using any further endeavours for an accommodation.

Stephen taken
prisoner at the
battle of *Lin-*
coln.

LXXX. THE war had in the mean time been carried on in the usual manner, by the attacks and surprizes of castles, in which that of the *Devises* had ran various fates, though it remained at last in *Stephen's* power: but the earl of *Gloucester* had made a considerable progress in the middle of the kingdom; having taken *Nottingham*, and engaged his son-in-law *Ralf de Gernons* earl of *Chester*, to act in favour of the empress. This earl's father *Ralf*, called sometimes *de Bourg-Achard*, and at others, *de Meschines*¹, had obtained from *William the Conqueror* a grant of *Carlisle*, and the county of *Cumberland*, being styled indifferently earl of those two places: his son claimed the lands and honours annexed to the earldom; but was denied his suit by *Stephen*, who had, in the necessity of his affairs, granted them to the king or prince of *Scotland*. *William de Roumara*², half brother to the earl of *Chester*, claimed the earldom of *Lincoln*, as part of the inheritance of their common mother *Lucia*, sister to *Edwin* and *Morcar*, and had been put by the late king in possession of a great part of her lands: but he seems to have been denied the rest by *Stephen*, because it was by an act of hostility, and in the way of a surprize, that he now made himself master of the castle of *Lincoln*, the head of the honour or earldom; which he claimed, and is mentioned by writers³, as enjoying the title. The two brothers were equally concerned in that surprize, and were with both their wives in the castle; when the citizens, favouring *Stephen*, sent him word that they were there unprovided, secure, and apprehensive of no danger; that it was an easy matter to take them, and they would assist him in the enterprize. *Stephen*, upon this advice, making an hasty march from *London*, invested the castle on *Christmas-day*: and the citizens rising in his behalf, seized seventeen men at arms that chanced to be in the city at the time of this sudden appearing before the place, and made them prisoners. The castle was sure to be reduced, at least by famine, without an army sufficient to raise the siege: and the younger brother's liberty being necessary for that purpose, *Ralf* broke in the night through the enemies guards; and getting to *Chester*, levied a body of forces among his own vassals and the *Welsh*, whom he invited to his assistance. Not thinking himself strong enough to venture a battle with *Stephen*, or else willing to make the relief of his brother and their wives sure, he applied to his father-in-law *Robert* earl of *Gloucester*, whom he had disobliged by his neutrality, for succours; promising in that case all future fidelity to the empress⁴. *Robert*, seizing the occasion of embarking so potent a nobleman in his sister's cause, put himself immediately at the head of the troops he had on foot, and of others which he levied in haste: and joining *Ralf*, they marched together towards *Lincoln*. *Stephen* had lain before the castle six weeks; when on *February 2*, being *Sexagesima Sunday*, upon the approach of the enemy, he drew out his forces to give them bat-

¹ *Dugdale's Baron.* t. i. p. 36, 37. ² *Ib.* p. 346. ³ *Ord. Vital.* p. 921. ⁴ *W. Malmsh.*

the¹; though the old soldiers in his army advised him to decline it; because his men were not fit for an engagement: but considering the enemies troops as fatigued by a long march in the depth of winter, and his own being much superior to their's in number, he persisted in his resolution. *Robert* came determined to fight, in hopes of putting an end to the miseries of his country by a decisive action, and depending as well upon the justice of his cause, as upon the bravery of his men; whose onely hopes of safety lay in their swords, having no place of retreat in the neighbourhood. To make them still more desperate, by depriving them of all hopes of safety by flight, he passed a brook and morass scarce practicable, in order to attack *Stephen*; who, besides the breaking of the taper he offered according to custom, and the fall of the pix, which, with the consecrated wafer in it, hung over the altar at mass, had a worse omen of the fate of the day, in *Alan* earl of *Richmond*'s publicly renouncing his cause, refusing to fight, and marching off with his followers, before the battle began.

STEPHEN.
A. D. 1141.

STEPHEN², resolving to fight on foot, put himself at the head of his main body, consisting of infantry, and placed his horse in two wings: one composed chiefly of *Flemings*, under the command of *William de Ypres*, and the earl of *York* and *Albemarle*; the other of *Bretons* and *English*, headed by count *Alan* of *Dinan*, *Walleran de Meulant*, *Hugh Bigot* earl of *Norfolk*, *Simon de Senlis* and *William de Warenne* earls of *Northampton* and *Surrey*. The disposition of the other army was made by *Robert* earl of *Gloucester*, much in the same manner; taking his own post at the head of his main body of foot, and distributing his horse into two wings; one consisting of those who had been deprived of their honours and estates by *Stephen*, and were animated to the combat by their own personal injuries; the other under *Ralf* earl of *Chester*, being composed of his own followers. This nobleman had brought with him a body³ of *Welsh*, brave in their persons, but too slightly armed for a pitched battle; for which reason *Robert* made them form a body apart, on the outside of *Ralf*'s wing; probably with the same design, which the late general *Dillon* had, at the battle of *Cremona*, A. D. 1706, in a like disposition of a *corps* of *Hussars*; who coming in after the armies were drawn up, received orders from him to keep themselves apart, and to fall upon the enemies flank, as soon as the engagement began; which they executing accordingly, were the chief cause of the great victory which he there gained over the *Germans*, taking the present king of *Sweden* and seventeen thousand foot prisoners. Whether *William de Ypres*, an old experienced soldier, was apprehensive of any such attack on his flank by the *Welsh*, he chose to charge them in the first place, and easily put them to flight: but his own men, being put into disorder by the shock, and attacked in that condition, were as easily broke by the earl of *Chester*; and he giving the day for lost, fled for the safety of his life, without attempting to rally his followers. The young earls in *Stephen*'s other wing, being fond of jousting, and skilled in such exercises of armes, were for using their lances in that manner, by way of prelude to the action: but being placed against the *corps* of disinherited *English*, these, fired by their wrongs, and not caring to trifle away the time in an unseasonable amusement, advanced sword in hand to close fight, and broke them in a moment. The two wings being thus put to flight, *Stephen* was surrounded on all sides by the enemies cavalry, as well as infantry: and though he behaved himself with the utmost bravery, the body he commanded being charged in various places, was broke, and himself taken prisoner by the earl of *Gloucester*⁴. *Baldwin Fitz Gilbert*, *Richard Fitz Urse*, *Gilbert de Gaud*, and *William de Clerfeith* were taken with him; the last of which made

¹ *J. Hagulst*, col. 269. *Gul. Neubrig.* l. i. c. 8. *D. Norm.* p. 117.

⁴ *J. Hagulst.* p. 269.

² *H. Hunt.* *Hoveden.*

³ *Vita Gauffredi,*

STEPHEN. his escape soon after to the castle of *Tikehill*. *Stephen* himself was conducted to *Bristol*, and kept in safe but honourable custody for a time; till complaints being made of *Robert's* allowing him too much liberty, he was closer confined, and, as some say, put in fetters, after *Maude*¹ had been driven from *London*.

Consequences
thereof.

LXXXI. THE loss on *Stephen's* side² in this battle was very inconsiderable; there being scarce above an hundred of his men slain in it: but the consequences thereof, or rather of his captivity, were very fatal to his party. *Geffrey Plantagenet*, as soon as he heard the news, fell with an army of *Angevins* into *Normandie*, and reduced all the *Costentin* and *Auranchin*; *Rotrou* and *Walleran*, counts of *Mortagne* and *Meulant*, following fortune, made their submission to him: and *Robert Marmion* delivered up the strong fortrefs of *Falaise*. *Hugh*, archbishop of *Roüen*, with some *Norman* noblemen of the *Roumois* and *Lieuvin*, applied to *Theobald* count of *Blois* for protection; offering to receive him for their duke: but he, being fond of quiet, rejected the offer; and making an agreement with *Geffrey*, in consideration of the cession of *Tours*, gave up to him all his pretensions. The nobility in general, the bishop of *Lisieux*, and the towns of *Vernueil* and *Nonancourt*, thus destitute of all support, had no party to take, but that of submission: and *Geffrey* became master of all the *Lower Normandie*. *Walter Giffard* count of *Longueville*, and all the *Cauchois* submitting the next year, *Geffrey* wanted nothing to make him assume the title of duke, but the possession of *Roüen*, which he took the year following; *Eustace*, *Stephen's* eldest son, not having done a single act of vigour or courage to save the duchy, with which he had been invested, from falling into the hands of his adversary.

IN *England*, *William Peverel*, immediately after the battle of *Lincoln*, surrendered the castle of *Nottingham* to the empress; who put *W. Paine*³ in it with a strong garrison: those of the *Devises* and *Bedford* were likewise yielded; the earl of *Warwick* and a great part of the kingdom submitted to her as their rightful sovereign. To make her universally acknowledged, it was necessary to get the legate to set the example, and to induct her into the possession of the realm, as the late king's daughter and heir, to whom all *England* and *Normandie* had sworn allegiance. A conference was held for this purpose⁴ on *March* 2, the third *Sunday* in *Lent*, in an open plain near *Winchester*: and *Maude* swearing to the bishop, "that he should have the direction of all great affairs in *England*, particularly the disposal of bishopricks and abbeys, if he, with the clergy, would receive her as their queen, and keep a constant fidelity to her," *Robert* earl of *Gloucester*, *Brian Fitz Comte*, and *Milo* (whom, on *July* 25 following, she created earl of *Hereford*) took an oath to the same effect. The legate thereupon acknowledged her queen of *England*: and some of his friends swore with him, "that he should be faithful to her, so long as she observed that agreement." The next day she made her publick entry into the city, and was attended to the cathedral with a pompous procession; the legate leading her by the right-hand, and the bishop of *S. David's* by the left, into the church, in the presence of a great number of prelates and barons. There the legate⁵ plentifully bestowed his blessings and curses, his absolutions and excommunications upon all persons, as they wished her well or ill, as they obeyed or disobeyed her commands. From *Winchester* she removed to *Wilton*; where archbishop *Theobald* came to recognize her title, and swear fealty to her as queen: and going thence to *Oxford*⁶, received the castle from *Robert D'Oily*, and kept *Easter* there with great solemnity.

¹ *Gul. Nevbr.* l. i. c. 9. p. 953.

⁴ *W. Malmesb.*

² *Ord. Vital.* p. 923.

⁵ *Flor. Wig. Cont.*

³ *J. Hagulst.* p. 269. *Gesta. Reg. Steph.*

⁶ *W. Malmesb.*

FOR the more solemn recognition of the empress by the clergy, a council was held on *Monday, April 7*, at *Winchester*; in which the legate presided, and the archbishop of *Canterbury*, with all the bishops, and a great many abbots, were present: such as could not come, sent their excuses; which were read; being the first act done in the council. Then the legate called first the bishops, afterwards the abbots, and at last the archdeacons, to private conferences, apart from each other; the subject whereof was kept so secret, that nothing transpired: and the next day made a speech to the whole assembly, telling them, that they were convened to “consult about the peace of their country, which was in imminent danger of being ruined.” He went on to put them in mind of the flourishing state of the realm, in the reign of the late king *Henry*, and of the oath which they had all taken for the succession of his daughter and her issue: and “observed how, upon her delaying to come over, his brother *Stephen* had been suffered to mount the throne, and he himself “had answered for his good government. But he was now ashamed to speak of “his behaviour; the peace of the realm being destroyed; no punishment inflicted “on evil doers; bishops imprisoned and forced to deliver up their possessions; “abbeys sold, and churches robbed; the counsels of ill men followed, and the advice “of the good despised. That he had tried in vain to recall his brother from the “error of his ways, and the divine vengeance having at last fallen upon, and sunk “*Stephen* into a state of captivity, he had called them together by his legatine “power, to receive *Maude* for queen of *England*; having proposed it the day before in private to the greater part of the clergy of the kingdom.” All present either assenting expressly to what he said, or by their silence not contradicting it, the legate added, “that he had sent a summons with a safe-conduct to the *Londoners*, “who, on account of the greatness of their city, are on the foot of the nobility; and proposed waiting for them till the next day, being persuaded they would “not stay away any longer.” Their deputies came accordingly: and being admitted into the council, declared, that they were sent by the community of *London*, to “petition that their king might be delivered out of prison; and that all the “barons, lately received into their community, desired the same thing of the legate, “the archbishop, and all the clergy present.” The legate made them the same harangue, as he had done to the council the day before, adding, that “it did not “become the *Londoners*, who were treated in *England* as noblemen, to take part “with such as had deserted their lord in battle, as had, by their ill advice, put him “upon dishonouring the church, and who seemed to favour the *Londoners*, purely “to chouse them of their money.” Then stood up one *Christian*, a chaplain of *Stephen’s* queen, offering the legate a letter from her to be communicated to the assembly: and upon his refusal, read it himself; the purport of it being to press the legate and council to restore her husband to the throne. To this the legate gave much the same answer, as he had done to the *Londoners*; who, after a consult, promised to communicate the decree of the council to their fellow-citizens, and to comply as far as they were able. The council broke up the day following, being *Thursday, April 10*; having first excommunicated several that still adhered to *Stephen*; particularly *William Martel*, against whom the legate was highly incensed, for having intercepted and plundered his baggage.

STEPHEN.
A. D. 1141.

LXXXII. THERE was no small difficulty to persuade the *Londoners* to acknowledge *Maude*: and two months passed after the conclusion of the council¹, before matters were settled for her reception into the city. In the mean time her brother *Robert* was continually about her, and did all that was possible to gain the nobility

Maude driven
from *London*,
is besieged at
Winchester.

¹ *W. Malmesb.*

STEPHEN. and reconcile every body to her government: her uncle *David*¹ king of *Scotland* came to her likewise about *Whitfontide*, to assist her with his advice and good offices. But *Maude*, elated with her success, grew imperious, slighted their advice, giving them rough answers, denying their requests, treating them with less respect than usual, and following in all things her own will and humour. It was against their judgment², that she frowned on persons she did not like, and alarmed the nobility with her menaces; that, before she was settled in the throne, she disposed of the estates of the few persons who still adhered to *Stephen*; and that she resumed the grants of lands and honours which he had made to his military officers, and she now bestowed upon her own, not excepting out of this general resumption, even the benefactions he had made to churches. This disoblged the clergy, and kept the soldiery in her adversary's service, from submitting to her: but she acted still more impolitickly, after she made her entry into *London*, where she was received with acclamations and a splendid procession, a few days before *Midsummer*. When the citizens, pleading³ poverty and distress, the effects of war and scarcity of provisions, desired to be eased a little in their taxes and heavy duties till the times should mend; *Maude*, instead of giving them any relief, told them, with a stern countenance and in a disdainful manner, that since they had been lavish of their riches in supporting *Stephen* to her prejudice, it was not reasonable to spare them in the least, or remit any of the payments, whereof she was now to receive the benefit: and besides what arose from taxes, she extorted money from the wealthiest of them, not in a soft but haughty manner. They petitioned likewise to have the laws of *Edward the Confessor* restored, as being more mild than those of the late king, which were disagreeable and oppressive: but whether she thought this a reflection on her father's memory, or a prescribing to herself in the exercise of her government, she absolutely refused to comply with their request. These things made the citizens more disaffected than they were before, and alarmed others with apprehensions of the severity of her future administration, when her power was better established; though she had employed the time of her stay at *Westminster* in making very wholesome regulations for the good of the kingdom, and in providing an excellent prelate, *Robert de Sigillo*, a monk of *Reading*, for the see of *London* then vacant; who enjoyed it till his death⁴, though he would never take an oath to *Stephen*, after he regained his liberty and recovered the possession of *London*.

SOME other things contributed to give the world, naturally pitying the distressed, an opinion of her severity, if not of her cruelty. *Stephen's*⁵ queen had used great instances for her husband's freedom, and had been seconded in her solicitations by some of the principal nobility; who proposed, that upon the delivery of hostages, and the surrender of castles, that had not yet submitted, he might be restored to his liberty, though not to the kingdom; to which they undertook he should, by going into monastery, or in some other manner, renounce all manner of pretensions. The *Empress* rejected this proposal in so haughty a manner, as disoblged those who joined in it, and made *Stephen's* queen, in despair of succeeding by fair means, apply herself entirely to other measures for obtaining what she desired. It was natural for *Henry* bishop of *Winchester* to wish his brother out of prison, and to have some provision made for his family: he is said to have solicited *Maude* to give the counties of *Bologne*⁶ and that of *Mortain*⁷ in *Normandie* to his nephew *Eustace*; but whether she thought it imprudent to grant part of the duchy to a

¹ *J. Hagulst.* p. 270. ² *Gesta Reg. Steph.* p. 954.

³ *Gest. Reg. Steph.* p. 954.

⁴ *Council. Labb. & Coss.* t. x. col. 1070.

⁵ *Flor. Wig. Cont.* ⁶ *Bologne* was not in *Maude's* power, but in *Stephen's*, so that it cannot

well be supposed, the bishop joined this county to that of *Mortain* in his request; it rather shews the whole to be a meer pretence.

⁷ *W. Malmesb.*

man who claimed the whole, she refused to comply with the request. This is represented by some as the ground or pretence of *Henry's* quarrel with *Maude*; though others + think he was always hearty in his brother's interest, and only temporized with her, when, after the battle of *Lincoln*, she was ready to fall upon him with all her force, and he unable to make any defence, his castles being utterly unprovided; and that being a man of profound dissimulation, he continued to act the same part, whilst the kingdom appeared to be devoted to her, reserving himself and the discovery of his real views, for a more favourable time, when he might be able to serve his brother. This being now come, he had an interview at *Guildford* with *Stephen's* consort *Matilda*; and proper measures being concerted between them, she levied, with the assistance of *William de Ypres*, a body of *Kentishmen*: and sending for all her husband's friends to join her, advanced into *Surrey*; blocking up *London* on that side, and sending strong parties cross the *Thames* to plunder, burn, and destroy the country. This was done without opposition; the *Empress* probably not daring to trust the city militia, or to draw them out into the field, for fear they should join the enemy, and having no forces of her own with her, besides the followers of the prelates and nobility there assembled in order to her coronation: for which preparations were making, and on which, imagining herself secure in a place, where every thing seemed to bow before her, her thoughts were wholly employed. In this security, she was very near being surprized by the ² *Londoners*: who were always attached to her rival, and being now encouraged, by an army that ravaged all the neighbourhood uncontrolled, to discover their disaffection to her, entered into a conspiracy to seize her person. She had notice of it from a faithful citizen, just in time to steal privately out of town, with her uncle *David*, her brother *Robert*, and the nobility that espoused her cause, who all made their escape: but the mob, on the news of their departure, plundered the goods, which they left behind in their houses.

The legate quitted the city at the same time; probably to save appearances, and because he might be less capable of serving his brother, by declaring openly in his behalf. For he was now undoubtedly in his interests, and by his sole authority, without consulting the bishops, he absolved, perhaps privately, all those of his party who had been excommunicated by the late council: and sent over the kingdom great complaints against the empress, "that she had a design to arrest him; that she did not keep her stipulations with the barons, who had performed their promises; and knew not how to use with moderation the power she had easily acquired." It was easy to spread these insinuations by proper agents, without the author's appearing openly: but *Henry* could not escape suspicion; and *Robert* earl of *Gloucester*, to clear his doubts as to the legate's designs, or to remove his discontents, if he had any, made him a visit at *Winchester*. This conference fully convinced him of that prelate's being entirely alienated from the empress; of which he gave her in his return an account at *Oxford*: which by the advice of *Milo*, (whom at this time on *July 25*, in acknowledgement of his eminent services, she created earl of *Hereford*) she had made the place of her residence, and had appointed for the rendezvous of her forces. The legate had been of late less assiduous about her court than usual; she had sent for him to *Oxford*, and he had returned excuses for not coming; she now found by her brother's information, that he was become her enemy: and thinking herself obliged to keep measures with him no longer, she marched suddenly, with a small party of troops which she had got together, to *Winchester*; and being received into the king's castle, sent him a message, that, since she was on the spot, she hoped he would not think it much to

¹ *Gesta Reg. Steph.* p. 953.² *W. Malmesb. Chron. Gervaf.* col. 1355.

STEPHEN.
A. D. 1141.

make her a visit. *Henry* giving an evasive answer, *that he would get himself ready*, and leaving the bishop's castle well guarded, got out of the place: and assembled forces from all parts, in order to block up the city. The empress had taken this hasty step without the knowledge of her brother *Robert*; who yet, when he heard of her danger, flew to her succour, with her uncle *David*, the earl of *Hereford*, a few barons, and a small number of followers, such as could be got together in an hurry. They were still much inferior to the enemy; the bishop having been joined by most of the young earls, inconstant in their nature, fonder of tournaments on horse-back than of peace, and hoping by their forwardness on this occasion, to recover the reputation, which they had lost by deserting their lord in the battle of *Lincoln*. *Stephen's* queen and *William d'Ypres* had likewise come up with their forces, and helped to possess all the roads, by which provisions could be brought to *Winchester*: they burnt *Andover*, whence some supplies used to be sent into it from the west; and the *Londoners*, commanding all the country eastward of the place, hindered the passage of all victuals that way to the besieged, whilst they supplied them in great plenty to the legate and his forces. Not content with this service, they raised a very numerous militia¹; which joining the besiegers, the place was so blocked up on all sides, that scarce any provisions could enter: and those within were the more distressed, because, either out of that view, or in hatred to the townsmen, who were well affected to the empress, the bishop regardless of his flock and see, had on *Aug. 2*, caused wild-fire and combustible matter to be thrown out of the episcopal fortified palace or castle, upon the houses of the town, and reduced a great part thereof to ashes. In this fire were² burnt above twenty churches, besides the nunnery within the walls, and the abbey of *Hyde* without; the bishop laying hold of the opportunity to seize, for his own use, a golden cross, given to the last of these convents by king *Canute*, and set with precious stones (of which he made thirty marks of gold, and five hundred of silver) and three royal diadems, with as many stands of the purest *Arabian* gold, adorned with jewels and wrought in the most curious manner. What this prelate, so full of pretences of zeal for the good of the church and religion, did to the monastery of *Hyde*, out of avarice, *William d'Ypres*, a rough soldier, who had no regard for either, did to the nunnery of *Warewelle*, six miles from *Winchester*, out of cruelty and revenge, in the quest of some of *Maude's* adherents, who had there found a refuge.

Earl *Robert*
taken prisoner
and exchanged
for *Stephen*.

LXXXIII. WINCHESTER had been blocked up about seven weeks, from the latter end of *July* to near the middle of *September*, and the empress with her friends and followers had made a shift to subsist there all that time under great difficulties: when³ the bishop not daring to attack a body of brave and resolute warriors within the place, bethought himself of an artifice to draw them out of it into the open country, where they might be easily surrounded and oppressed by numbers. There was such a respect paid in ancient times to the great feasts of *Christianity*, that many thought it unlawful, as well to fight in the field, as to have trials at law on those days: and a cessation from hostilities in times of war was observed by a tacite general consent. It certainly became a prelate of the church, and one who styled himself legate of the holy see, not to be less scrupulous in this respect, than pious laymen generally were: and to flatter this notion, he ordered on the eve of *Holy Rood day*, peace to be proclaimed in the town, and the gates to be set open, as if provisions might freely enter. The *Empress* was

¹ *Fitz Stephens* (in *Vita S. Thomæ Cant.* p. 4.) says, that, in a review which *Stephen* made of this *London* militia, there were mustered sixty thousand foot and twenty thousand horse, well armed and equipped.

² *Ib.* *Flor. Wig. Cont.*

³ *Ib.* col. 135b.

quite tired of the long siege: and her brother *Robert* thought the opportunity favourable for getting out of a place, where they must yield in a short time to famine, or be forced to fight their way, under great disadvantages, through a much superior number of enemies. But not to depend too much on the faith of a deceitful enemy, he took the best precautions he could for his sister's safety; sending her out early on *September* 14, under the escorte of his brother *Reginald* earl of *Cornwall*, and the greatest part of her forces, with directions to make the best of their way to a place of security; whilst himself followed leisurely with a small but choice party of two hundred intrepid soldiers, ready to repel the enemy in case they were attacked. *Maude*, mounted on horseback, came after a sharp conflict², in which *Jeffrey Boterei*, brother to *Alan* earl of *Richmond*, distinguished himself by his valour in repulsing the enemy, sufficiently tired to the castle of *Ludgershal*: but it not being deemed a safe place, was persuaded to go on to the *Devises*, where she arrived quite spent with the fatigue. This too being thought an insecure retreat; she being utterly unable to ride any farther, was put into a litter or some other machine wherein she could lie at her ease and carried by horses, to which it was fastened, to *Gloucester*; whither *Milo* got soon after by miraculous escape from the midst of the enemy.³ Her uncle *David* eluded the fury of the pursuers by an artifice; and made the best of his way to *Scotland*. *Robert* being overtaken at *Stokebridge* and attacked, as he was about to pass the river, was overpowered by numbers: and thinking it a shame to fly, was taken prisoner, committed to the custody of *William de Ypres*, and imprisoned in the castle of *Rockester*.

This nobleman was considered as the life and soul of the empress's⁴ party; and no means were left untried, whilst he continued in prison, to debauch him from her interests: but he was equally deaf to threats and promises, and bore his captivity with unparalleled constancy. It was first proposed to exchange him for *Stephen*, and his wife *Mabille* eagerly embraced the motion: but there being a wide difference between the dignity of a king and that of an earl, he rejected it as unequal; though he was ready to consent to the proposal, if all that were taken with him might be also set at liberty. This *Gilbert de Clare*, *William de Ypres*, and other noblemen of *Stephen's* party, who had taken *William de Salisbury*, *Humphry de Bohun*, and other considerable persons in the skirmishes which happened near *Winchester*, would not agree to, because of the great ransomes which they expected for their prisoners. They next offered *Robert* the government of all the realm under *Stephen*, if he would but desert the empress: but he told them, "he was not his own master, being in another's power; if he was once at liberty, he would do in that case, what reason and duty required." He was then threatened with being sent beyond sea, to be kept in perpetual imprisonment at *Boulogne*: but unmoved at the menace, he would come into no terms, till the empress and those about her, finding his wisdom and credit necessary to keep their party from dissolving, resolved to make an exchange between him and *Stephen*, without any other condition. This was settled about the feast of *All Saints*, and great precautions were taken about the manner of setting them at liberty; for *Stephen* being to be released first, because of his dignity, not only his queen was kept as an hostage in his stead, but the legate and the archbishop took an oath to surrender themselves prisoners, if *Robert* was not set at liberty; and signified this their obligation in letters under their hand and seal to the *Roman* pontif. The earl was hereupon carried to *Winchester*; where *Stephen* arriving had a conference with him, endeavouring, with those about him, in vain to draw over to their side, a man, who, having no selfish view, was governed in all his actions purely by a sense of the

¹ *Flor. Wig. Cont.*² *J. Hagulst. col. 270.*³ *Gul. Neubrig. l. c. 9.*⁴ *W. Malmesb. duty,*

STEPHEN. duty, which he owed to his rightful sovereign, and being now set at liberty, applied himself with his usual vigour to support and advance her interests.
A. D. 1141.

It was not a proper season of the year for action: and it required some time for the chiefs of both parties¹ to learn the situation of their affairs, and provide for the security of what they possessed, before they attempted new conquests; so that they kept themselves generally quiet till *Christmas*. But the legate resolving to perfect what he had begun, and to compleat the ruin of the empress, called a council on *Dec. 7.* which was opened by a speech of *Stephen*; complaining of his imprisonment and the infidelity of his subjects. *Henry* made another by way of apology for the inconsistencies of his conduct; “pretending he had received the empress “not willingly but by necessity, when the king’s army being routed and all “the great lords either fled or waiting the event of things, she came with an armed “force to *Winchester*; that she had broke the stipulations made with him, for “preserving the rights of the church; that she and her friends had formed designs “against his life and dignity, and he now ordered them to excommunicate all “disturbers of the peace, that favoured the cause of the countess of *Anjou*.” This speech was not relished by all the clergy; none however contradicted it; all keeping silence, either out of fear or reverence to the legate: only a layman sent by the empress, “charged him upon the faith he had engaged to her, to do nothing “in that council contrary to her honour; that he had given his faith to her not to “assist his brother; that she came into *England* by his invitation, and if she had “taken *Stephen* and kept him in prison, it was by his connivance.” The messenger said a great deal more, with no small acrimony of expression: but nothing could move the legate, or provoke him to make an answer.

Earl *Robert*
sent to *Normandie*, brings
over prince
Henry.

LXXXIV. THE nation, which began lately to aspire to liberty, and to hope for quiet, was now relapsed into its former troubles²: but the holy season of *Lent* causing an intermission of hostilities, the empress came to the *Devises*, and held a council, in which it was resolved to send for the count of *Anjou* to come over to defend the rights of his wife and children in *England*. The men of quality sent upon this embassy, made, upon their return, a report of the count’s answer, in another council held at the same place on *June 13*, to this effect; “that he well knew the “prudence, vigour, magnanimity, and honour of the earl of *Gloucester*, and if he “came over to him, he should be ready to gratify him to the utmost of his power, “but it was in vain for them to send others.” *Robert* was hereupon pressed by all there present to go: and upon his excusing himself, on account of the perils of the journey, and the dangers his sister would be exposed to during his absence, they renewed their instances; till at last he consented, upon condition that he might carry with him hostages for the security, as well of the count of *Anjou*, as of the empress; and that they would stay with her at *Oxford*, and defend her with all their power, till he returned from abroad. They all agreeing to the proposal, sent their sons and nearest relations with him for pledges: and *Robert*, soon after *Midsummer*, setting sail from *Wareham* (of which he had made his eldest son *William* governor) landed, after passing through a terrible storm, which scattered his ships, near *Caen*; where the count of *Anjou*, coming to him, started several objections against his going into *England*. These were taken from the necessity of his stay in *Normandie*, to reduce some fortresses which still held out against him; and as there was something plausible in this pretence, the earl of *Gloucester* staid with him, whilst he took ten castles: but then finding fresh excuses to delay the voyage, he prevailed with *Geffrey*, to let his eldest son *Henry* go over with him into *England*,

¹ *H. Malmesb.*

² *Ib.*

to animate by his presence those that supported the cause of the rightful heir of the kingdom.

STEPHEN.
A. D. 1142.

LXXXV. STEPHEN¹, in the mean time, being recovered from an illness which had brought him to the point of death, and had lasted from *Easter* to *Whitsonide*, had marched suddenly to *Wareham*: and finding it without a garrison, had burnt the town, and seized the castle. From thence he marched to *Oxford*; and three days before *Michaelmas* came so unexpectedly thither², that surprizing the town, or entering it after a skirmish with the sliers, he burnt it: and besieged the empress (who being come thither but for two or three days, chanced to be in the castle, with only her ordinary guard, and officers of her household) protesting that he would not quit the siege, for the hope of any advantage, or the fear of any detriment, before he had taken the castle, and got her into his power. The noblemen, who had engaged to defend her in *Robert's* absence, were quite confounded at being absent beyond their appointed time; and joining their forces, came to *Wallingford*, with a resolution to fight *Stephen*, if he would meet them in the open field: but did not think it adviseable to attack him, if he kept within the walls of the place; which the earl of *Gloucester* had fortified so strongly, as to render it in a manner impregnable. *Robert*, who had staid much longer than he proposed in *Normandie*, receiving advice of these events, hastened his return thence: and with between three and four hundred men of armes, in fifty-two ships, landed in the port of *Wareham*, took possession of the town, and besieged the castle, which was defended by a good garrison; who, terrified by his engines, agreed to surrender by a certain day, if not relieved by *Stephen*. The earl consented to the capitulation, in hopes it might draw that prince from the siege of *Oxford*: but he would not stir; and *Robert* having received the castle, and reduced the *Isle of Portland*, and *Lullworth-castle*, marched to *Cirencester* in *Gloucestershire*; where he ordered all the empress's friends to meet him with all their force, in order to march to *Oxford*, for the relief of their sovereign, now reduced to extremity for want of provisions, and to fight *Stephen*. But as they were advancing thither, they received the good news of her having escaped out of the castle of *Oxford*, and being got safe to *Wallingford*, in a manner still more surprizing, than her other extraordinary escapes from *Arundel*, *London*, and *Winchester*. Many of the besiegers, either tired out with the length and fatigues of the siege, or out of fear of the earl of *Gloucester's* coming, had stole away from *Oxford*: and those that remained were very negligent in their guards and watches. It was now *Advent*, the river frozen, and the ground covered with snow: to make an advantage of these circumstances³, as well as of the remissness of the enemy's guards, the empress with four or five knights attending her, all clad in white linen, went out of the postern gate of the castle, passed the river undiscovered⁴, and walking on foot to *Abington*, went from thence to *Wallingford*. Thither *Robert*, and the noblemen that had joined him, marched with their forces: but the castle of *Oxford* being surrendered, as soon as *Maude* had quitted it, and the approaching holidays admonishing them to be quiet and abstain from war, they, by her advice and common consent, broke up their army, and returned to their respective abodes. The empress easily forgot all her cares, fatigues, and distresses at the sight of her son *Henry*: and committing the care of his education to her brother, *Robert* carried him to *Bristol*, and kept him there four years under the best masters; improving his understanding in knowledge by their instructions, and forming the young prince's mind to virtue, by his own example, and by the noble

¹ *W. Malmesb.* ² *Gesta. Reg. Steph.* p. 958. *Chron. Gervaf.* col. 1357. ³ *H. Hunt. Chron.* *Gervaf.* col. 1358. *Gul. Neubrig.* l. i. c. 10. ⁴ The author of *Gesta Reg. Steph.* says, p. 958. that one of *Stephen's* centries was let into the secret.

STE. HEN. sentiments becoming his dignity, which no body in that age was better qualified than he to inspire into a royal pupil.

A. D. 1143. THE taking of *Oxford*, was the last considerable military action of *Stephen*; who, though he had all the valour of a soldier, seems to have been very defective in the skill and conduct necessary for a general: and to this defect his ill success on many occasions is evidently to be ascribed. He opened the next campaign with an expedition into the west¹; in which his *Flemings* and other foreign soldiers (despising the excommunication denounced, by a council held a little before in *Lent*, against all that violated churches, mal-treated the clergy and husbandmen, or hindered agriculture) plundered churches and villages wherever they passed. His chief design was to recover *Wareham* in *Dorsetshire*; but when he came before the place, he found it too strong and well provided to be easily taken: and raising the siege, marched to *Wilton*, in order to erect a fort for repressing the incursions of the garrisons of *Wareham* and *Salisbury*. Whilst this work was carrying on, he suffered himself to be surprized by *Robert* earl of *Gloucester*; who assembling a body of troops, and marching with great expedition to *Wilton*, came suddenly before the place on *July* 1, a little before sun-set; and attacking his forces in three places, put them to flight after a slight opposition. *Stephen* was lodged in the nunnery, and would in all appearance have been again taken, if he had not fled, with his brother, the bishop of *Winchester*, at the first noise, before the action was over, in so much hurry, that he left his plate, furniture, and equipage a prey to the enemy. A great number of prisoners were taken²; and among the rest *William Martel*, the only person of distinction, that had stood his ground for any time in the engagement: he had been butler to the late king, and had the post of steward of the household under *Stephen*, with whom he was in high favour.

THIS victory was of great service to *Maude* in its consequences; *Martel* being forced to give up the castle of *Sherburn* for his ransom; and *Henry de Tracy*, who had hitherto kept up a party for *Stephen* in *Devonshire*, being obliged, in despair of any support from his master, to make his own accommodation. Thus was the empress absolute mistress of all the provinces of the kingdom of the *West-Saxons*³, except *Hampshire*: and by the care of the earl of *Gloucester*, the people in those parts enjoyed as much quiet as in a time of peace; paying only the ordinary taxes for the erection and repairs of castles, and for the recruit of forces, with now and then some advances of money on pressing occasions. There was the like quiet⁴ in the three northern counties, and the bishoprick of *Durham*; which acknowledged her sovereignty, and were kept in peace by the power of her uncle the king of *Scotland*. She was possessed likewise of the provinces of *Wales* belonging to the *English*, and of all the counties of *England* lying upon the *Severne*; where no power interfering with her own, the same tranquillity reigned. Thus was she mistress of half the kingdom: and had the satisfaction of seeing her subjects live at ease under her government; whilst *Stephen* had only a precarious footing in the rest, except in the counties about *London*, to which the influence of that great and opulent city extended. His interest in the parts north of *Trent* depended upon *William* earl of *Yorkshire*, who was opposed by *Alan* earl of *Richmond*; *Ralf* earl of *Chester*, who was master of the greatest part of *Mercia*, obeyed him no farther than he pleased himself: and *Hugh Bigot* earl of *Norfolk*, with the lords of castles in the country of the *East-Angles*, acted in the like independent manner. Hence the chief seat of the war lay in *Berks*, and the parts adjacent; and it was carried on by the attack of castles, the building of forts to block up such as could not be

¹ *Chron. Gervaf.* col. 1358. *Gest. Reg. Steph.* p. 959. *Conc. M. Brit.* t. i. p. 421. ² *Gul. Neubrig.* l. i. c. 10. ³ *Gest. Reg. Steph.* p. 960. ⁴ *Gul. Neubrig.* l. i. c. 22.

taken, and by the rencounters of small parties: *Stephen* not being able to bring a royal army into the field, and scarce any action happening in the course of it, considerable enough to be mentioned.

LXXXVI. THERE are however some events of a different nature that deserve notice. Such was the death of *Milo* earl of *Hereford*, who having this year¹ joined earl *Robert*, in forcing *Stephen* to raise the siege of *Tetbury*, died afterwards on *Christmas-eve*: and was succeeded by his eldest son *Roger*, an active, valiant, and deserving man, but young, unexperienced, and unequal to his father; whose loss was exceedingly regretted by *Maude*, though she felt it the less by reason of the prosperous condition of her affairs. *Stephen* suffered one that affected him much more, in his brother the bishop of *Winchester*'s being deprived of his legatine authority; which had enabled him to prescribe the resolutions of the prelates, to govern the clergy, and turn the kingdom as he pleased. *Henry* was extremely fond of exercising this dignity, which put him above his own metropolitan, to whom he had sworn obedience as a suffragan; and of trampling on the jurisdiction of the see of *Canterbury*. It was probably this vanity, or else the necessity of making his court to *Rome*, that made him first introduce into this nation, appeals from the ecclesiastical courts to the Pope²; for having first taken cognizance of such appeals to himself as legate, they naturally came, in the *dernier ressort*, to be determined in the *Roman* consistory, with an excessive expence to the parties in causes, and an infinite number of inconveniencies to the kingdom. As he was continually encroaching on the archbishop's jurisdiction, frequent quarrels happened between them³: and Pope *Innocent II* dying on *September 24*, *A. D.* 1143, *Theobald* prevailed on his successor *Celestin II*, not to renew *Henry*'s powers, but to give the post of legate to himself. Upon *Celestin*'s death, on *March 9*, *A. D.* 1144, *Henry*, mortified at the loss of his dignity, obtained from *Lucius II*⁴, the honorary compliment of a pall, and solicited him strongly to erect his see of *Winchester* into an archbishoprick, with a jurisdiction over all the sees in the country of the *West-Saxons*: but great opposition being made to this project, and the Pope dying in less than a year, the design proved abortive; *Eugenius III*, who succeeded in the papacy, being no friend to that ambitious prelate.

A. D. 1144.

Bishop of
Winton loseth
his legateship.

LXXXVII. STEPHEN, by this event, lost much of his power over the clergy: and being desirous to replace it by assuming a greater than he yet had over the laity, had recourse to the same method of getting their castles into his hands, as he had tried, with so much detriment to his affairs, in the case of the bishops of *Salisbury* and *Lincoln*. His part of the kingdom felt indeed insupportable mischiefs from such castles⁵; the lords or governors whereof plundered all the neighbourhood, and committed horrible enormities; so that multitudes fled abroad into foreign parts, the towns were left empty, the fields remained untilld, famine prevailed, and a general desolation reigned over the country: and he probably imagined that the mischiefs arising from those castles, would reconcile the nation to his arbitrary or treacherous proceedings for getting them into his own possession. *Geffrey de Magneville* was a man⁶ of great parts, knowledge, sagacity, and experience; skilful in the art of war, bold in action, firm in adversity, and superior to all other noblemen in wealth and dignity; being governor of the tower and forts about *London*, and *Stephen*'s lieutenant over all that part of the realm which obeyed his orders. He had always been of his party, and was made by him earl of *Essex*: but some

Stephen seizes
noblemen,
and forces
them to give
up their
castles.

¹ *Job. Hagulstad*, col. 273. *Chron. Gerv.* col. 1359. *Gest. Reg. Steph.* p. 963, 966.

² *Gervaf. Aët. Pont. Cant.* col. 1667. *H. Hunt.* in 16 *Stephani*. ³ *Gervaf. ib.* col. 1665.

⁴ *M. Paris.* *Rudborn.* ⁵ *Gest. Reg. Steph.* p. 961, 962. ⁶ *Ib.* 963. *H. Hunt.*

courtiers,

STEPHEN. courtiers, envious of his greatness, having suggested to *Stephen*, that he was changing sides, and was engrossing all the power of the kingdom into his hands, with a view of giving it to the empress, he was arrested, with several of his friends, in the court at *St. Albans*, upon the like pretence of a tumult, as had been formerly made use of for seizing *Roger*, bishop of *Sarum*, at *Oxford*. The barons, with whom he had the fray, accused him of treason; which he put off with a joke: but before he could obtain his liberty, he was forced to give up the tower of *London*, with his castles of *Walden* and *Plesby*, near *Dunmow* in *Essex*, two of the strongest in *England*. This treatment drove him entirely into the interest of *Maud*; from whom he had received formerly, upon the submission of *London* to her, a new creation¹ to the earldom of *Essex*, in order probably to engage him to give up the tower: and obtained afterwards a very ample grant of the hereditary sheriffalty of *London*, *Middlesex*, and *Hertfordshire*, and of his mother's inheritance in *England* and *Normandie*, with the confirmation of his title to lands which he enjoyed by the grant of *Stephen*, and of all the improvements he had made on his estate, to the day of his adherence to her party. In consequence² hereof, he summoned all his vassals and friends to meet him: and formed a body of men; with which he sacked *Cambridge*, and took the abbey of *Ramsay*. *Stephen*, to dislodge him thence, marched against him with an army: but finding it impracticable to drive him out of the *fens*, built three castles, and retired. Upon his departure, *Geoffrey* got *Hugh Bigot* to join him, and with their united forces, they over-ran the whole country: and had not the earl of *Essex* been accidentally killed³ soon after in the siege of the castle of *Burwelle*, on *September* 16, this year, they would have been able to have distressed *Stephen* exceedingly in the very neighbourhood of *London*, which supplied him with the chief part of his forces. As it proved, he lost a great part of the country of the *East-Angles*; all that he was able to do against *Hugh Bigot* alone, when he marched⁴ against him, being to waste his lands, and erect three castles; a method which he usually took for the security of a country, but which frequently proved prejudicial to himself, the *Castellans* setting up to be independent; as he had lately found in the instance of *Turgis*, a *Norman*, to whom he had given the castle of *Walden*, after he had taken it from *Geoffrey de Magneville*.

No experience could cure *Stephen* of his fury for castles, or of his ill politicks in the treacherous seizure of his nobility. *Ralf* earl of *Chester* was⁵, by means of his vast estate, and his castles of *Lincoln*, *Coventry*, and in other places, master of near a third part of the kingdom. He had, after *Stephen's*⁶ release from prison, made his accommodation with him; and assisted him with his forces on several occasions, particularly in the taking of *Bedford*, and in the erecting of a castle to curb *Wallingford*: but he was still suspected, as well on account of the inconstancy of his nature, as because he did not give up some of the royal castles and demesnes, that were in his hands, to *Stephen*; who took care to have him narrowly watched, and resolved to seize him when an opportunity offered. The earl coming in *August* to the court at *Northampton*⁷, complained of the incursions of the *Welsh*: and desiring *Stephen* to march with an army against them, undertook to provide for the charges of the expedition. The courtiers⁸ took thence occasion to insinuate, that *Ralf* made this proposal with an evil design; that there were terrible dangers in marching into the woods and mountains of *Wales*; that there was no depending on his faith, till he had restored all that he had seized unjustly, and had given hostages for his future conduct; which should be demanded of him, and in case of refusal, he ought to be taken into custody. *Stephen*, whose ears were always

¹ See *Dugdale's Barons*. t. i. p. 202. *Ib.* p. 201. ² *Gest. Reg. Steph.* p. 963. ³ *Mon. Angl.* t. i. p. 447. n. 10. ⁴ *Gest. Reg. Steph.* p. 966. ⁵ *Ib.* p. 968. ⁶ *Gul. Nubrig.* l. i. c. 13. ⁷ *Chron. Gervaj.* col. 1361. *II. Hunt.* ⁸ *Gest. Reg. Steph.* p. 970, 971.

open to suggestions of suspicion, resolved to proceed in that manner: the earl was required to make restitution, and to deliver hostages; and saying in answer to the demand, "that he had not come to court with any such design; that he had never been spoke to before on the subject, and had not consulted his friends about it," he was immediately charged with treason, and taken into custody.

STEPHEN.

THE earl's followers, who were in possession of the castles, which he was required to restore, and whom he thought it proper to consult, before he engaged to deliver them, took up arms immediately in all places; raising contributions, and attacking all that favoured *Stephen*. They persisted for some time in these hostilities; till finding the disadvantages they lay under for want of a proper head, they thought it best to procure their lord's liberty: and offered to deliver up his castles and give pledges for doing so, if he might be restored to his liberty. The offer was accepted; the hostages delivered; the earl's own castles, as well as those of the crown, given up to *Stephen*: and nothing left him but the possessions and honours annexed to the county palatine of *Chester*. *Ralf* had his freedom after taking an oath to *Stephen*: but was so incensed at this usage, that as soon as he was released, he took up arms, raised all the forces he could, surprized and attacked *Stephen's* castles, erected new ones, wasted all the country about *Lincoln*, and built a fort to block up the castle of *Coventry*; one of those which he had been forced to yield, though it was his own property. *Stephen* was obliged to march to the relief of the place; threw a supply of victuals into it; and after several engagements with the earl's forces, in one of which he was wounded, was forced to retire: but having recruited his army had the good fortune to defeat the earl, and took his fort by *Coventry*. But these were not all the ill consequences of his harsh treatment of this earl: he raised himself another enemy in *Ralf's* nephew *Gilbert*, earl of *Clare* or *Hertford*; who had delivered up the strongest of his own castles and himself as an hostage, till his uncle had restored all the royal castles according to the agreement. When this was done, he demanded the restitution of his own castles as part of his inheritance: and upon *Stephen's* refusal, who probably thought it dangerous to put them into his hands, whilst his uncle was in arms, *Gilbert* stole away from court, resolved to recover by force what he could not get by justice. *Stephen* having early notice of his departure, pursued after him so close, that he was scarce got to one of his castles, before that prince came to invest it: but he made a shift to escape in disguise, and joined the earl of *Chester*. *Stephen* indeed took the castle spoken of with two others; and invested that of *Pevensey*: but finding it too strong to be taken by force, left a body of men before the place to reduce it by famine. Thus did *Stephen*, by his own imprudent and faithless conduct, in a time of distress, when he could scarce keep his ground against his concurrent for the throne, make two of the most powerful earls in the kingdom his enemies: who cut him out so much work, that he was disabled from making any advantage of an event, which otherwise might have been improved to the re-establishment of his affairs.

A. D. 1146.

LXXXVIII. PRINCE *Henry* had been four years under the care of *Robert* earl of *Gloucester*; when his father *Geoffrey*, having subdued all *Normandie*, and quelled some insurrections raised against him in *Anjou*, sent² three of his principal nobility, with an honourable retinue, to fetch him from *England*; that he might have the pleasure of seeing him for a while; being determined to send him back soon, if it were necessary. *Robert*, with a noble body of knights, attended the young prince to *Warham*: and having seen him embark for *Normandie*, returned to *Bristol*;

The empress
and her son
return to Nor-
mandie.

¹ *Geoff. Reg. Steph.* p. 972.² *Chron. Gervasi.* col. 1361.

STEPHEN.
A. D. 1147.

where he died on *October 31, A. D. 1147*. The empress having lost in him perhaps the onely person that served her without views of interest, at least the onely one that deserved her entire confidence, went over herself the *Lent* ¹ following into *Normandie*. It was the prudence, credit, and authority of this earl that kept all her party in order: but when his head was laid in the grave, every body did what was right ² in their own eyes, built castles, committed disorders, and would not be denied any grant, for which they petitioned. It was very disagreeable to be in a country, where she had the title of sovereign, without an authority to command and make herself obeyed; where she could not follow her own judgment or inclinations in ordering her own actions; and where there was no great man superior to the rest of her party, properly qualified to command their obedience, and merit her confidence: and she thought it her best party to return to her husband.

Stephen's
quarrel with
archbishop
Theobald.

LXXXIX. NOTWITHSTANDING the absence of the empress, her friends were in a very good condition to withstand all the efforts of *Stephen*; who had an unhappy talent for creating to himself new troubles. It hath been already observed, that Pope *Eugenius III* was no friend to *Henry* bishop of *Winchester*, and that the legatine power, formerly vested in the latter, had been superseded, and given to archbishop *Theobald*, much against the inclinations and interest of *Stephen*; who was equally exasperated against the Pope and the archbishop. This animosity seems to have been mutual, and to have made the two last hearken the easier to the suggestions of the chapter ³ of *York*, complaining that *William*, nephew to *Stephen* and *Henry* by their sister *Emma*, had not been either canonically elected, or lawfully consecrated to that see, but intruded upon them by the royal authority, being named by *Stephen* before he was elected: on which account *William* was deprived in the council held this year, on *March 30*, at *Reims* in *Champagne*. The Pope had summoned the archbishop of *Canterbury*, with the bishops of *Worcester*, *Bath*, *Exeter*, and *Chichester* to attend him at that council: and though it was a practice unknown before, for the Pope (instead of leaving the nomination of the particular bishops that were to attend a council, to the choice of the national church, which they represented) to name whom he pleased himself; the first of these had applied to *Stephen* for leave to go; but was refused. *Henry* was the author of his brother's refusal; being fond of any occasion to distress the archbishop; and hoping that if he went to the council, he would be put out of the protection of the law, and his estate seized: or if he did not, that he would then be either suspended or deprived by the Pope, for contempt of his orders. *Theobald*, aware of the consequences in either case, resolved to go: and all the ports being guarded to prevent his journey, he got privately to the sea side, and passed over in a crazy open boat to the continent. Upon his return from the council to *Canterbury*, *Stephen* coming thither, ordered him to depart the realm immediately; oppressed his tenants; and seized his revenues. Whilst the archbishop was abroad, some attempts were made for an accommodation: but none succeeding, he wrote letters to several churches in *England*, threatening them with an interdict to take place on the 12th of *September*: which the monks of *S. Augustine* having solicited the Pope to prevent, he ordered their deputies to return home and obey the archbishop's commands. When the day appointed drew near, *Theobald* passing the sea from *Gravelin* into *Suffolk*, was honourably received and supplied with all necessaries by *Hugh Bigot*, who was master of that country: and under the protection of this nobleman, published his interdict against all the churches in that part of the kingdom, which acknow-

¹ *Chron. Gervaf.* col. 1363. ² *Gul. Neubrig.* l. i. c. 22. ³ *Chron. Gervaf.* col. 1363, & seq. *Stubb's Acta. Pont. Ebor.* col. 1721.

ledged *Stephen*. Divine service ceasing in all places subject to this prince, whilst it was celebrated in all that obeyed the empress, this distinction affected the common people exceedingly: and proved of such detriment to his affairs, that he was forced to send some bishops and noblemen to make up matters with *Theobald*; who releasing the interdict, and taking off the suspension laid upon the four bishops, that had not gone to the council according to their summons, returned to *Canterbury*. This interdict lasted from the day abovementioned to *February 1*, in the year following, and was strictly observed by all persons, except the monks of *S. Augustine*; the two ringleaders of which convent, particularly by name, the rest in general, and all that received the sacraments from them, were excommunicated by the archbishop. They sent agents to the Pope to remonstrate against this sentence; but being excommunicated, they could not be admitted to an audience, till they had undergone the discipline, and been absolved by the pontif, not by his own authority, but in the stead of the archbishop: and then they were sent home with a sharp reproof for their conduct, and with express orders to obey *Theobald*; who was directed to punish them with severity. This he did by depriving the prior, suspending the secretary, and obliging all the rest of the monks to abstain from divine service, and the exercise of their functions in publick, from *March 12* to the first of *August*; the very same space of time for which the interdict had lasted.

STEPHEN.

A. D. 1148.

XC. STEPHEN was too much embarrassed with this affair to prosecute the war, when he might probably have done it with most advantage: and abundance of military men, with *William de Warenne*, *Roger de Mowbray*, and an infinite multitude of the common people, had in that time of inaction¹ left *England* to engage in the croisade recommended by *S. Bernard*; whose sermons and letters embarked greater numbers in an expedition to the *Holy Land*, than had been concerned in the first, when *Jerusalem* was taken. Prince *Henry* was now sixteen years old, and of a proper age to be knighted: and his father *Geffrey* being upon ill terms with the king of *France*, who had discharged him from resigning *Normandie* to his son, determined to send him to *Scotland*, in order to receive that honour from his mother's uncle *David*, before he gave him possession of the dutchy. It was thought proper that he should pass through *England*, to animate the party of his mother by the presence of the next heir of the crown²; and passing over thither with a large retinue of knights and soldiers, he was attended to *Scotland* by *Ralf* earl of *Chester*, *Roger* earl of *Hereford*, and a good number of the western nobility. The ceremony³ of knighthood was performed by the king at *Carlisle*, on *Whitsunday*, *May 22*; the prince of *Scotland* and the earl of *Chester* assisting in the solemnity: and the last of these came to an agreement with *David* in relation to his claim of *Carlisle*; being to receive in lieu thereof, the honour of *Lancaster*, and his son to marry one of the prince's daughters. The vast number of nobility, knights, and military men of both kingdoms assembled on this occasion, giving the citizens of *York* terrible apprehensions of their having a design to fall upon that city, *Stephen* marched thither with a considerable army, and staid there till the end of *August*: but neither side caring to begin hostilities, he retired without coming to any action. There was indeed a concert made between *David*, *Henry*, and *Ralf* for invading *Stephen's* territories; and the two first advanced with their forces as far as *Lancaster*; where the last had promised to join them with his followers: but finding themselves disappointed, and seeing no reason to depend on a man so uncertain, they marched back to *Scotland*. *Eustace*, likewise, having been lately knighted by his father, and thinking it necessary to distinguish himself by some action, that

Prince *Henry* knighted by *David* king of *Scotland*.

A. D. 1149.

¹ *Hoveden.* ² *Chron. Geru.* col. 1366. *H. Hunt.* ³ *Joh. Hagulst.* col. 277.

STEPHEN. might eclipse the reputation of *Henry*, who was now making his first essay in arms, made some inconsiderable excursions to waste the lands of certain noblemen in those parts, that adhered to the empress: but this was after the departure of *Stephen*, who, before he went out of the north, took care to squeeze from the nobility and gentry of the country, in proportion to each man's quality, what sums of money he thought fit to demand; which was paid by weight, because the coin was universally adulterated.

A. D. 1150. XCI. PRINCE *Henry*, after passing near eight months in *Scotland*, and improving himself there in military exercises, set sail from thence in the beginning of *January* Invested in the dutchy of *Normandie*: and received the honours and revenues of the dutchy from his father *Geffrey*. The king of *France*, incensed at this resignation, made contrary to the express orders given by him, as sovereign of the *Fief*, probably with a view to serve *Eustace*, who had married his sister, invaded the province, and besieged the castle of *Arques*. *Henry*, at the head of a great army of *Normans*, *Britons*, and *Angerins*, advanced with a design to force him to raise the siege, or give him battle: but being dissuaded from fighting against the person of his lord, if he suffered from him no greater damage, invested the castle of *Tourne* by way of diversion. His design succeeded; *Louis* advancing to the relief of the place, which was on the point of being taken. *Henry* however, for the same reason which had made him decline a battle, drew off his troops: and soon after a peace being made between them, *Louis* gave him the investiture of *Normandie*. In the mean time, the war was carried on in *England* after the usual manner, by the depredations of garrisons¹, encounters of small parties, and attempts upon castles, rather than formal sieges. The most considerable of these was that upon *Worcester*; which *Stephen* attacking out of hatred to the count of *Meulant*, to whom he had given it, but who had since declared for his rival, burnt the town: but was not able to take the castle.

A. D. 1151. THIS borrowed king, as *Gervase*² styles him, made the year following another attempt upon the same place: but with the like ill success; the garrison making so gallant a defence, that raising the siege, he contented himself with blocking up the castle by two forts, which were soon after taken by *Robert* earl of *Leicester*, brother to the count of *Meulant*. It was the nature of *Stephen* to begin an enterprize with vigour³, but to cool soon in its prosecution: and though his efforts were inconsiderable, *Henry* not being engaged in any war abroad, had thoughts of coming over into *England*, and called an assembly of the estates of *Normandie* at *Lisieux*, in order to take measures for the expedition. He was hindered from executing this design by the death of his father *Geffrey* count of *Anjou*; who returning from a conference with the king of *France*⁴, was taken ill of a fever, at the *Chateau du Loir*, and dying on *September 7*, in the forty first year of his age, was buried at *le Mans*, in the church of *S. Julian*; where his coat of arms, as far as it can be represented on an half shield, is still to be seen, the most ancient monument of its kind in the world, and the original of the arms of the crown of *England*. This prince, to whom the monk of *Marmoutier*, who wrote his life, and other cotemporary writers, give an excellent character, left, besides *Henry*, two other sons, *Geffrey*, and *William*; the one having *Chinon*, *Loudun*, and *Mirebeau*, the other the county of *Mortain* for their appanage.

And marries
Elanor
duchess of
Guene.

XCII. HENRY having taken possession of *Anjou*, *Touraine*, and *Maine*, and settled his affairs in those provinces, resumed, in the next year, the thoughts of passing

¹ *H. Hunt.*
Norman. p. 103.

² Col. 1367.

³ *H. Hunt.* *Chron. Gervaf.* col. 1370.

⁴ *Vit. Gaufridi Duc.*

over into *England*, but was diverted from it by another affair. *Louis VII*, king of *France*, had been married sixteen years to *Eleanor*, daughter and heiress of *William* duke of *Guienne*, and count of *Poitou*; but their tempers not agreeing, and some distaste arising between them during their late voyage to the *Holy Land*, they being heartily weary of one another, agreed upon a divorce. This was pronounced in the council of *Baugency*, called expressly for that purpose, on the *Tuesday* before *Palm Sunday*: and the sentence declared to be given on account of their consanguinity. A romantick story (such as the croisades in those days caused to be continually invented) of an amour of this princess with a young *Turk*, called *Saladin*, or with the prince of *Antioch*, as different writers are pleased to suggest, was spread about, as if it were the real cause of the king's discontent: and the scene being laid in a country too remote to admit of an easy refutation, it might perhaps find credit with people fond of hearkening to tales of that nature; though probably raised only with a view, by throwing a slur on her reputation, to keep the divorced queen from a second marriage. It had not however this effect, *Eleanor* being married on the *Whitsunday* following to *Henry* duke of *Normandie*¹; after having rejected the proposals of *Theobald* count of *Blis*, and escaped the snares, which, nettled at the repulse, he had laid to seize on her person, and force her to an alliance. *Henry*, by this marriage, added to his former dominions, most of the provinces of *France*, lying between the *Loire* and the *Pyrenees*: which *Louis* either wished might descend to the two daughters he had by her, or proposed to reunite to the crown; it appearing by his charters², that he retained the title of duke of *Guienne* after his divorce. This weak king, fitter for a convent than a throne, now saw the ill consequences of that step: and, vexed at his own folly and *Henry's* greatness, formed an alliance with king *Stephen*³, *Theobald* count of *Blois*, and *Geffrey* of *Anjou* (*Henry's* younger brother) who had been lately knighted by *Theobald*, to strip him of all his dominions. With this view, *Louis*, with his brother the count of *Dreux*, *Eustace*, *Stephen's* son, and *Robert* count of *Perche*, invaded *Normandie*: and besieged *Neumarché*, between *Gournay* and *Gisors*; whilst *Geffrey* staid in *Anjou* to raise an insurrection in that country. *Henry* was at *Barfleur* ready to embark for *England*, his uncle *Reginald* earl of *Cornwall* being sent to invite him thither; when the news of this invasion forced him to quit that design, and assemble his forces in order to raise the siege of *Neumarché*: but the place had surrendered before he arrived with his army for its relief. All that he could do, was to cover his other places; which he did with so much conduct as deserved the admiration of his enemies: and the *French* army retiring at the end of *August* without any other attempt, he left good garrisons in all his frontier towns, and marched with such expedition into *Anjou*, that he surprized his brother, and quelled the insurrection in that province.

STEPHEN.
A. D. 1152.

XCIII. STEPHEN was much alarmed at the great power and reputation of this young prince: and thought it necessary to take extraordinary precautions for securing the succession of the crown to his family. He had lost his wife *Maude*, a princess of great prudence, art, address, vigour, and resolution; who had been exceeding useful to him in all the difficulties of his affairs, and during the whole course of his government: she died this year, on *May 3*, and was buried in the abbey of *Faversham*. He proposed to deprive *Henry* of his right to the crown, by getting his own eldest son *Eustace*⁴, not only declared his successor, to which the lay nobility of his party readily assented, but crowned immediately: and with this view called

Stephen tries
in vain to get
his son *Eustace*
crowned.

¹ Chron. Turon. ² Labbe in Chron. A. D. 1153. ³ Chron. Norm. ⁴ Annal. Waverl. Chron. Gervaf. col. 1372 and 1371. H. Hunt.

STEPHEN.
A. D. 1152.

a great council of all the prelates and nobility of *England* to meet at *London*. He seems to have entertained this design for some time; it being known before, and Pope *Eugenius* having given orders to archbishop *Theobald*, who was also his legate, not to crown *Eustace*. *Theobald* had, in this last capacity, held about *Midlent* in the precedent year a synod of all *England*; in which he had suffered three appeals to be made to *Rome*, according to the late practice introduced by the bishop of *Winchester* during his legation: and was resolved at any rate to observe the Pope's orders. The right of crowning the kings of *England* belonged to the archbishop of *Canterbury*: and when *Stephen* required *Theobald* to anoint *Eustace*, and the rest of the bishops to assist in his coronation, they absolutely refused. The father and son, highly incensed at this refusal, ordered them all to be locked up in a room; and tried by menaces and terror to force them to a compliance: but nothing could shake their constancy, though they had reason to dread the worst, because of *Stephen's* known aversion to their order. The archbishop had the good fortune to make his escape out of confinement, and getting in a boat cross the *Thames*, got to *Dover*, where he embarked for *France*; choosing¹ a voluntary exile, rather than do an act to exclude the right heir, and to perpetuate the miseries of the kingdom. *Stephen* in a rage seized all the possessions of his see, as he did likewise those of the other bishops: but he not being in circumstances to bear the odium of this conduct, they were soon restored. *Theobald* too, upon the Pope's ordering all the bishops to issue out an interdict on the kingdom, with a bar to all appeals, returned in a little time to *England*.

A. D. 1153.
Prince *Henry*
lands in *Eng-*
land, and
makes a com-
promise with
Stephen.

XCIV. THIS attempt, though it miscarried in this manner, with *Stephen's* taking of *Newberry*, and blocking up *Wallingford* by the fort of *Craumers*, made *Henry* think it high time to go over into *England*, to take effectual measures with his friends, for making himself master of the kingdom. He had made a truce with *France*: and having provided for the security of his frontier garrisons, he passed the sea in a² fleet of thirty six ships; landing on *Jan. 6.* with only one hundred and forty knights, and about three thousand foot, it not being adviseable to weaken *Normandie*, by drawing thence a greater number of forces. He was immediately joined by the greatest part of the earls and barons of the kingdom: and it being resolved to besiege *Malmesbury*, he beat the enemy in an engagement, as he was advancing to the place, took the town, and the outward walls of the castle, before *Stephen* advanced to its relief. There was no raising the siege without a battle under great disadvantages, nor any lying in the field at that time of the year, considering the extremity of the weather: these circumstances obliging *Stephen* to retire, the besieged, in despair of succour, surrendered the castle. *Robert* earl of *Leicester* came to *Henry* at this siege; and *Gundreda*, countess of *Warwick*, declared in his favour, delivering up her castle: *Reading*, and above thirty other fortresses submitted to him, with their garrisons. *Wallingford*, being in distress for want of provisions, *Henry* marched thither to throw in a supply: and in taking by storm the fort which blocked it up, gained a great reputation for valour. *Stephen*, advancing with his forces, much superior to *Henry's* in number, to the relief of the fort, the two armies lay encamped several days within a quarter of a mile of each other: but without coming to an action; though thrice drawn up in order of battle; *Stephen's* horse³ often rearing with him, and falling backwards, when he offered to advance. This gave occasion to *William* earl of *Arundel*, with others of his party, to propose an accommodation: which being agreed to by *Stephen*, met with some

¹ *Ep. S. Thomæ Cant.* p. 225.

² *Annal. Waverl. Chron. Norman. Chr. Gervasi.* col. 1372.

³ *Ib.* col. 1373, & seq.

difficulty on the part of *Henry*, who was desirous to improve the time which his truce with *France* allowed him to pass in *England*, and unwilling to lose the benefit of all his warlike preparations. The instances of his friends prevailed upon him at last to consent to a treaty: and the two armies parted without fighting; in hopes that the articles of it would be soon settled. Whilst this was doing, *Henry*, falling into the middle of *England*, took the castle of *Stamford*, and marching thence, made himself master of the town and castle of *Nottingham*¹; his party daily increasing by the defection of the nobility from *Stephen*, who in the mean time reduced the castle of *Ipswich*, belonging to *Hugh Bigot*. It was probably during this expedition of his father, that *Eustace* died, on *August* 17, near *St. Edmund's-Bury*; leaving no issue by his wife *Constance*, whom he treated very ill: he was lewd, cruel, brutal, and furious; without sense, vigour, courage, or merit; and a bitter enemy to the treaty on foot, which could not but be fatal to his hopes of the succession. *Joannes*² *Sarisburyensis* says, that he died of grief and a broken heart on that account; regretted only by a parcel of lewd, roistering, debauched, and beggarly fellows, the scum of the nation: but to the great satisfaction of all good men, who congratulated one another upon the event, and rejoiced in the good fortune of their country, now rid of one that would have been a terrible scourge to her, and the best action of whose life was, the making his exit out of the world so seasonably. *Simon* earl of *Northampton* died about the same time, with some other noblemen of *Stephen's* party; so that the distressed condition of this prince's affairs disposing him to hearken to the representations of his brother the bishop of *Winchester*, archbishop *Theobald*, and other great men that laboured for peace, the treaty was at last concluded, and ratified in a great council of the prelates and nobility, summoned jointly by *Henry* and *Stephen* to meet in the latter end of *November* at *Winchester*. The articles of it were, "that *Stephen* should reign as king, during his life, and " *Henry* should succeed him, as lawful heir of the kingdom by hereditary right; " that *William*, *Stephen's* son, should have all the lands which his father possessed " in *England* and *Normandie*, before he got the crown, with the honour of the " late *William Warenne*, whose daughter and heir he had married, *Richier de* " *l'Aigle's* share of the honour of *Pevensey*, and seven hundred pounds rent in " *Norfolk*, and should do homage and give security or hostages for his fidelity to " *Henry*; that the inhabitants of cities, and garrisons of castles, subject to *Stephen*, " should do the same; that the tower of *London*, and castle of *Windsor* should be " put into the hands of *William de Lucey*, who was to swear, and give his son for " an hostage, that he would deliver them to *Henry* after *Stephen's* decease; that " the castle of *Oxford* should be entrusted to *Roger de Lucey*, and that of *Lincoln* " to *Jordan de Buselo* on the like security; which was to be given also by all future " governors of those places, and by the bishop of *Winton* for the delivery of the " castles of *Winchester* and *Southampton*; that justice should be administered in " *Stephen's* name throughout *Henry's* part of the realm, as well as his own, but " in the affairs of the kingdom the first should act by *Henry's* advice⁴. All the " prelates, earls, and barons were to take an oath for the observance of this agreement, and the bishops were to pass ecclesiastical censures on whoever infringed it " in any respect, till he preformed his conduct."

It is⁵ impossible to describe the satisfaction, which the news of this agreement gave to every part of the nation, or the pomp of the processions and other de-

¹ *Gul. Neubrig.* l. i. c. 29. *Polycraticus*, l. vi. c. 18. *A. D.* 1153. t. i. p. 14.

² *J. Sarisburyensis.* ³ *Rymer. Fœdera,* *Hoveden*, p. 490, speaking of this article, says, *Henry* was made chief justiciary of the kingdom; and there is no doubt, but he appointed judges in

his own district, though they administered justice in *Stephen's* name; but by the term *justiciary*, he probably means *Regent* or *Guardian* of the kingdom. See *M. Paris*, p. 102. lin. 38. p. 104. lin. 2. ⁵ *Chron. Gervaf. H. Hunt. Gul. Neubrig.* l. i. c. 30.

STEPHEN. monstrations of joy, with which the two princes were received, when they entered *London* together, in order for *Henry's* receiving the homage and fealty of the citizens. Every body now saw an happy end of their miseries: and *Stephen* began, by *Henry's* favour and concession, to be a king in reality, as well as name; his government having been ever before a mere usurpation, his authority very little, and his possession of the throne very precarious. After a short stay, *Henry* parted to keep *Christmas* among his friends: but they met again at *Oxford* on Jan. 13, *A. D. 1154.* when a great council was held; in which all the great men of *England* did homage to *Henry*, and swore to him the fealty due to their lord; reserving however to *Stephen* the honour and fidelity due to him during his life. The good correspondence between these princes lasted, till another council held a little time¹ after at *Dunstable*: when a dispute happened on account of an article; which is not contained in *Stephen's* charter, notifying the treaty to the kingdom. Besides the conventions therein mentioned, our historians take notice of two other provisions; which seem to have been made in an assembly of the estates, probably that of *Winchester*; because they could not well be executed without the concurrence of that body, and did not so much relate to the interest of either of the princes, as to the general pacification of the kingdom. By one of these, all lands and possessions, usurped in the time of the troubles, were to be restored to the right owners; by the other, all castles and forts erected since the death of the late king, which had been the means of infinite oppressions of the people, and amounted to one hundred and twenty six in number, were to be demolished. Nothing costs an usurper so little as the breach of his stipulations: and this article, which had been duly executed by *Henry* in his part of the realm, had not been observed with the same faith by *Stephen*; who, either with a treacherous view, or out of regard to his favourites, had not dismantled several that stood upon his lands, and absolutely refused to do so, when the other modestly put him in mind of the infraction. They had both sworn to act in concert for obliging all governors of castles to comply with the articles of the convention: and though *Stephen's* contempt of his oath in this particular might give just grounds of suspicion, that he would be as little scrupulous in the breach of the rest, yet *Henry* did not lose his temper on the occasion; not caring to involve the realm in new troubles by coming to an open rupture, and seeing himself, by being master of the better half of the kingdom, and having the greatest part of the nobility as well as the prelates of the church on his side, in a condition to exact, whenever he pleased, an entire execution of the treaty. This refusal however of *Stephen*, shewing his dislike thereof, gave in all probability encouragement to some of his partisans to form a conspiracy for the murder of *Henry*, whilst he lay at *Dover*, waiting for a wind to waft him over into *Normandie*. *William de Ypres*, made earl of *Kent* by *Stephen*, had filled that county with his *Flemings*, a parcel of rapacious, abandoned rascals, capable of any iniquity: and these were to be the actors in the tragedy. *Stephen* had about *Easter* accompanied *Henry* to that port, where the count of *Flanders* was to meet them: and that he might not appear to be concerned in the conspiracy, it was to be executed, after he had taken leave of the young prince, and was returned to *Canterbury*. But when it was on the point of execution, *William*, *Stephen's* son, who, notwithstanding his oath of allegiance to *Henry* and the ample provision made for him, had engaged in it, falling from his horse on *Barham Down*, and breaking his leg, all the measures of the conspirators were broke for want of a leader: and *Henry*, having notice of the design, returned on a sudden to *Canterbury*, before they had agreed on supplying that defect, and making all the haste he could to *London*, went from thence by water to *Normandie*.

¹ Chr. Norman. Gervaf. H. Hunt.

XCIH. His presence there was necessary to stop the progress of the king of STEPHEN.
France, who had invaded the province and taken *Vernon*: but being repulsed be- A. D. 1154.
 fore *Vernuil*, and seeing *Henry* at leisure, by the pacification of *England*, to op- Stephen's
 pose him with all the forces of his foreign dominions, he hearkened to a peace; death, cha-
 which was concluded in *August* upon the conditions of his restoring *Neumarché* and raëter, and
Vernon to *Henry*, and receiving two thousand marks of silver in compensation for issue.
 the charges of the war and the fortifications of those places. *Henry* seized the op-
 portunity, afforded by this peace, to resume, very prudently and by degrees, the
 demesnes of the dutchy, which his father *Geoffrey* had been forced to grant for a
 time to the *Norman* nobility, to engage them in his interests. In the mean time,
 some ill designing persons in *England* were continually plying *Stephen* with false
 suggestions, and using all possible endeavours to create a rupture between him and
Henry: nor were their insinuations rejected by a prince naturally suspicious; so
 that a quarrel would in all appearance have ensued, if providence had not prevented
 it by putting an end to *Stephen's* life and designs. He had been at *Dover* to con-
 fer with *Thierry* count of *Flanders*: and in his return, being taken ill of the *Iliac*
 passion, mixed with his old complaint of the piles, died on *Oct. 25*, at *Dover*¹;
 from whence his corpse was carried, and interred in the abbey of *Feverham*, founded
 by himself and his wife *Matilda*.

His character appears sufficiently from what hath been said of his actions. He
 certainly did not want activity on some occasions, nor courage on any: but, either
 disheartened by the difficulties of an enterprize, which he had not the prudence to
 foresee, or through the impatience of his temper, he knew not how to persevere
 in what he had begun with vigour, and was very unequal in his conduct. He
 loved war, yet seems to have had no genius for it; never attaining to any confi-
 derable degree of military skill, notwithstanding his long experience; which proved
 of little use to him, by reason of his want of observation, reflection, and judgment.
 Some writers ascribe to him good nature, because he did not put his enemies to
 death as rebels: but as capital punishments were very rare in those days, and the
 circumstances of his affairs did not allow him to proceed to such an extremity,
 the best proof of it may be drawn from his fondness to keep company with mean
 and inconsiderable persons. He was undoubtedly a weak man; led and managed
 at the pleasure of those about him; unthinking, and never to be made wise by any
 experience; rash, hasty, inconsiderate, credulous, suspicious; and would have made
 a wretched figure upon the throne, had it been his fortune to govern in times of
 peace; so that the intestine wars, which made the misery of the nation, during
 almost all the nineteen years of his reign, were of real advantage to his reputation.
 He had none of the virtues of a king, nor any of the talents necessary for govern-
 ment; no magnanimity or noble sentiments; no honour, no faith, no steadiness,
 no economy, no foresight, or sagacity, no regard either to his dignity and cha-
 racter, to justice, equity, good order, or religion. He² stuck at nothing to gra-
 tify his boundless ambition, and lust of power; would make any promises to gain
 his ends, and forgot them the next moment; perjury and treachery were the ordi-
 nary means he made use of to effect those jobs, which his narrow understanding
 put him upon, to serve a present turn, whilst they ruined his credit for ever; being
 infatuated in his counsels and incapable of adopting those solid, wise, and honest
 maxims of good policy, which will always be of service to a prince, and transmit
 his memory with glory to future ages. The civil wars, the natural consequence
 of his usurpation, which took up most of his time, and reduced the kingdom to a

¹ *Chron. Gervaf.* col. 1376.² *Polieraticus*, l. vi. c. 18.

STEPHEN. state of desolation, hindering him from laying any regular taxes upon the people, except in the counties subject to his power; where he¹ raised *Danegeld*, notwithstanding his oath and the charter granted at his coronation, promising to remit it for ever. What money he raised by contributions in a military way, or out of the demesnes of the crown, he squandered upon his foreign troops, and upon every petitioner that sued to him; with a facility and prodigality usual enough in usurpers; who are generally forced to let their ministers and partisans share with them in the plunder of a nation.

STEPHEN had by his wife three sons, viz. *Baldwin*, who died in his infancy; *Eustace* beforementioned; and *William*, who surviving him, inherited the county of *Boulogne* from his mother, and was earl of *Surrey* in right of his wife, the only daughter and heir of *William III*, earl *Warrenne*; and having after his father's decease, resigned all the lands of his gift both in *England* and *Normandie*, was knighted by *Henry II*, at *Carlisle*, and accompanying him to the siege of *Toulouse*, died in the expedition. He had also by the same bed two² daughters; *Maude*, who was contracted when two years old to *Walleran* count of *Meulant*, but died an infant; and *Marie*, who being abbess of the nunnery of *Rumsey*, was secretly carried from thence, and being married to *Matthew*, a younger son of *Thierry* count of *Flanders*, enjoyed the county of *Boulogne*, after the death of her brother *William*. She³ had two daughters by her husband, before she was separated from him by the sentence of the church, on the account of her having professed chastity, and remitted to her monastery; the eldest of which, named *Ida*, was married to *Renaud de Trie* count of *Dammartin*, who in her right became count of *Boulogne*; and the younger, called *Maude*, was wife to *Henry I*, duke of *Brabant*. *Stephen* had likewise two natural sons, *William*, who is mentioned in a charter of his legitimate brother of the same name; and *Gervase*, made by his father abbot of *Westminster*, where he died *August 26*, *A. D.* 1160, and lies buried in the south part of the cloister of the abbey *John*⁴ of *Glastenbury* ascribes to him likewise another illegitimate son, named *Ralf*, who was chamberlain to *Henry II*.

¹ MS. *Flor. Wig.* in *Bibl. C. C. C. Oxon.*
Chr. Norman. 997. *Chr. Alberici*, *A. D.* 1160.

² *Ord. Vital.* p. 903.
⁴ *Ed. Hearne*, p. 175.

³ *Sigebert*, p. 215.



A

GENERAL HISTORY

O F

ENGLAND.

BOOK VI.

Containing an Account of *English* Affairs for the space
of Sixty-two Years, from the Accession of *Henry II.*
to the Death of King *John*.

I. **H**ENRY (called *Fitz Empress* from his mother, and *Court-mantel*, for HENRY II.
A. D. 1154.
Henry's coronation and measures to secure the peace of the realm. bringing the fashion of short cloaks from *Anjou* into *England*) was engaged in besieging a castle on the frontiers of *Normandie*; when he received advice of *Stephen's* death: but would not quit the siege, till the place had surrendered; seeing no necessity for his immediate repair into *England*. He was already master of the best part of the kingdom; the prelates and clergy were entirely in his interest: and the nation had suffered such a series of miseries under the late usurpation, that all thoughts of continuing it were laid aside. There was no appearance of any competitor, besides *William*, the son of *Stephen*: and he was too much despised to be able to make head against a prince; whose hereditary right was universally acknowledged, and whose prudence, firmness, zeal for justice, and other excellent qualities², had raised in all orders of men, the highest expectations of being perfectly happy under his government. *Henry*, having at last settled his affairs abroad, in a conference with his mother and an assembly of the prelates and barons of *Normandie*, set sail³ from *Barfleur* on *December 7*: and landing the next day near *Hurst-castle*, in the *New Forest*, proceeded from thence to *Winchester*, where he received the homage and fealties of the *English* nobility. He was afterwards, on the nineteenth of the same month, being the last *Sunday* in *Advent*, crowned with his queen at *Westminster*, by *Theobald* archbishop of *Canterbury*; two archbishops, fourteen bishops, and a vast number both of *English* and *Norman* earls and barons being present at the solemnity. With these he consulted

¹ *Chron. Norm.* p. 989.

² *Gul Neubrig.* l. ii. c. 1. *Polycrat.* l. vi. c. 18.

³ *Chr. Norm.*

Chron. Gervaf. col. 1376. *M. Paris.* *Chron. Sax.*

HENRY II. in his court, which he held during the *Christmas* holidays at *Bermondsey*, about the measures proper to be taken for redressing the disorders occasioned, and the grievances introduced, by the late usurpation, and for establishing the peace of the kingdom.

A. D. 1155. AN infinite number of foreigners had come over in *Stephen's* time, and by his invitation; under the pretence of serving in his armies, and in order to share in the plunder of the nation: they had been loaded with his favours, whilst all parts of the land, subject to him, groaned under their horrible oppressions; and he had retained them after his accommodation with *Henry*, probably with some view not favourable to that transaction. *William de Ypres*¹, whom he had made earl of *Kent*, and his *Flemings*, were the most considerable of these foreigners, and had been the most favoured: but being now ordered by a proclamation to depart the realm by a day fixed, they all disappeared in less than three months, to the amazement of all the world; who could not conceive, how it was possible for them, to get out of the realm so suddenly, though winged by the fear of vengeance for their cruelties and depredations. A like order was issued for demolishing all the castles erected since the death of *Henry I.*, in such numbers that every third town had one; which had served for so many nests of robbers to lay the neighbourhood desolate; a few only being reserved in the king's hands, because of their advantageous situation for the defence of the kingdom. The coin had been horribly adulterated in the late times of confusion: and it being impracticable to restore commerce, or prevent continual disputes in dealings between particular persons, till this enormous evil was redressed, new money was struck² of a just fineness, weight, and value. The demesnes of the crown had been alienated in a shameful manner³, and its revenue greatly impaired by the exorbitant grants of the late prince; who found it necessary to engage people by their interest to support his usurpation. These were now all resumed and re-annexed to the crown; by which the baronies incident to their tenure became extinct: and the *Pseudo*⁴ earls (as our historians term them) of *Stephen's* creation, were deprived of their illegal dignities; the charters which they produced in their favour being rejected as of no validity, *because a lawful prince ought not to receive any prejudice from the grants of an usurper*. This was carried so far, that even benefactions⁵ made to churches and monasteries out of the crown-lands were resumed; though in some cases the king was graciously pleased to favour them with new grants: and *Malcolm* king of *Scotland*, upon *Henry's* demand of the counties of *Northumberland*, *Cumberland*, and *Westmorland*, thought fit to give them up without a war, which it was proper to avoid during that prince's minority; a compliance so agreeable to the king of *England*, that he gave him in return the county of *Huntingdon*, to which *Malcolm* had some weak pretensions.

BUT nothing was of greater advantage to *Henry's* reputation, or contributed more to the establishment of his throne and the happiness of his subjects, than the judgment, which, young as he was⁶, he shewed in the choice of his council; composed of men, ripe in years, and fitted by their capacity, experience, wisdom, and virtue to suggest the best measures for reforming a corrupt nation, and carrying on all the affairs of government; and the care he took as well for a due execution of the laws, which had slept all *Stephen's* time, as for the impartial administration of justice, which had been utterly neglected during the late usurpation. For this⁷ purpose he appointed justices in all quarters of the kingdom, to repress disorders and punish offenders within their respective districts, whilst he was taken up with the weightier

¹ *Gul. Neubrig. ib.* *Chr. Gervaf. ib.* *Vit. S.* *Gul. Neubr.* l. ii. c. 2. *Chr. Hemingsford.* l. ii. c. 2.
Thomæ Cant. p. 13. ² *Hoveden.* ³ *Ib.* *Chr. Trivet.* ⁴ *M. Paris. ib.* ⁵ *Gesta Con-*
M. Paris. & in lit. Abb. S. Alban. p. 70. *Chron.* *fulum Andegav.* in *Dachery's Spicileg.* t. x. p. 406
Norm. ⁶ *Annal Waverl.* *Brompton,* col. 1046. ⁷ *Gul. Neubrig. ib.*

affairs of the realm : and he took care to watch himself over their conduct, to see that they were vigilant and upright in the execution of their charge ; examining into the state of the counties through which he made his progress ; ever ready to hear the complaints of such as were aggrieved, and as sure to correct the negligence, or redress the excesses and oppressions, of these justices. Hence a new face of things soon appeared : and a stop being put to all robberies and depredations, the towns were soon repopled ; the lands every where tilled ; every body enjoyed the sweets of quiet and reaped the benefit of their industry ; rejoicing in the happy change of their situation, and partaking in the peace, plenty, and felicity that reigned throughout the kingdom. They had a pleasing prospect of the continuance of these blessings by the increase of the royal progeny ; queen *Elleanor* being on ' *Feb. 28* delivered of prince *Henry*. This event seems to have given occasion to that general council of the prelates and nobility, which the king summoned after *Easter* to meet ² at *Wallingford* ; where they all swore allegiance to him and his heirs, particularly to prince *William* (who died the year following) if he survived his father, and to the new born *Henry*, in case he out-lived his elder brother. The doing this in the most solemn and usual manner, seems to have been the chief, if not the sole, design of calling that extraordinary council ; the king having in another, held a little before, about *Midlent*, provided very well for the affairs of the realm by establishing its ancient customs, with the laws of *Edward the Confessor*, and by confirming, in a charter under the great seal, the grants and privileges of certain bishops, abbeys, and churches. The laws here mentioned were only such of the *Confessor's* as had been adopted by *Henry I* ; and the charter here referred to, seems to be that published by *Spelman*, attested by *Richard de Lucy* the chief justiciary ; in which *Henry II* confirmed to the church, to all his earls, barons, and vassals, all the customs, donations, and privileges, which they had enjoyed in the time of his grandfather.

THE king met with no difficulty in the execution of any of these measures, for the security of his government, and the peace of the nation, except in that relating to the demolition and surrender of the fortresses lately erected by the nobility ; some of whom were very loath to comply with the terms of the proclamation on that subject⁴. The most considerable of these was *William le Gros* earl of *Albemarle*, now stripped of his title of *York* ; who being lord of *Holderness*, and master of large possessions in other parts of *Yorkshire*, had in *Stephen's* time acted as king in the country north of the *Humber*, and erected the castle of *Scarborough*, fortifying it so as to render it in a manner impregnable. He was very unwilling to give it up with his other forts, which had served to establish his ill-gotten power : but being in no condition to make head against *Henry*, was, after several affected delays and excuses, forced to submit. Those delays were probably the occasion of the king's marching into *Yorkshire*⁵, as the design of calling *William Peverel* to account for the poisoning of *Ralf* earl of *Chester*, seems to have been the reason of his passing, as he returned thence, by *Nottingham* : but *William*, conscious of his guilt, and dreading the vengeance due to his crime, had turned monk in the monastery of *Lenton* ; and not thinking himself safe, under the privileges of his order, from the king's inexorable justice, fled upon his approach into foreign parts ; leaving all his large estate and castles ; which were immediately seized, being forfeited to the crown by his felony. The bishop of *Winchester*⁶, about the same time, sending his treasure before him by the abbot of *Cluny*, and going abroad privately without license, the king ordered all his castles to be levelled : and having seen his ordinance

¹ *M. Paris. Rob. Glouc. Chron. Norm.* ² *M. Paris.* ³ *Cencil. M. Brit. t. i. p. 426 and 428.* ⁴ *Gul. Neubrig. ib. c. 3.* ⁵ *Chron. Gervaf. col. 1377.* ⁶ *M. Paris.*

HENRY II. executed in the north and west of *England*, was obliged to march with an army to the marches of *Wales*; where there were several malcontents that wanted no inclination to rebel, and *Hugh de Mortimer* had fortified his castles of *Bridgenorth*, *Clebery*, and *Wigmore*. This last had prevailed upon *Roger* (son of the great *Milo*) earl of *Hereford* (who did not care to part with his castles of *Gloucester* and *Hereford*) to retire from court, and to levy a body of forces among the *Welsh*, from whom his mother derived her descent: but *Gilbert Foliot* bishop of *Hereford*, being related to the young earl, and much concerned to see him hastening to his ruin, went after him; and having, by his wise remonstrances, brought him to a sense of his duty, carried him back to court upon assurance of the king's pardon; which was readily granted upon the surrender of his castles. *Hugh* continued obstinate till he saw his three fortresses, in the strength whereof he chiefly confided, invested at the same time by the king, and all taken: but was then forced to sue for mercy, and deliver up all that he had usurped of the royal demesnes. This was done in *July*: and the proclamation being now executed in all quarters of the realm, the king, before the end of the summer, had the satisfaction of seeing the peace of the nation fully settled, and all the forts given up; which had served under *Stephen* to oppress the people, and might otherwise, in his own reign, be made use of for the raising of future rebellions.

A. D. 1156. **II. HENRY** leaving all quiet in *England*, passed the sea in the beginning of *January*, in order to quell some disturbances raised by his brother *Geffrey* in *Anjou*: the occasion whereof is thus related by *Neubrigensis*², and from him copied by *Brompton* and others. *Geffrey Plantagenet* count of *Anjou*, desirous to secure a better provision to his younger son than he was able to make for him, required, in a will made on his death-bed, his eldest son *Henry*, whenever he got possession of *England*, to make over the county of *Anjou* to his brother *Geffrey*: and obliged the bishops and noblemen about him to swear, that his corpse should not be interred, till *Henry* had bound himself by oath to perform the contents of the will, which till then was not to be opened. *Henry*, coming to the funeral, is said to have taken the oath very unwillingly, and purely to avoid the scandal of letting his father's body lie unburied: but, after he mounted the throne of *England*, got the Pope to absolve him from an obligation, extorted from him by violence, and requiring a thing manifestly unjust; the non-performance whereof is represented as the cause of *Geffrey's* discontent and insurrection. But this relation is much to be suspected, and seems to be one of those stories, which *Neubrigensis*, who had few opportunities of being informed of transactions in foreign parts, took upon trust from others; it not being agreeable either to the father's affection to *Henry*, to whom, in his life time, he had freely resigned *Normandie*, or to his known piety and regard to justice, to make use of such an artifice, in the moment he was launching out into eternity, either to force his eldest son to part with his undoubted right against his will, or to trapan him into an act of perjury. It is not mentioned by *Gervase*, *M. Paris*, or any other more ancient *English* historian, nor yet by the author of the *Gesta Consulum Anglavenfium*, who was personally acquainted with *Geffrey* of *Anjou*; or by the monk of *Marmoutier*³, who wrote his life, and speaking of his death, takes notice of his charitable legacies, but says not a word of his disposition of *Anjou*. This prince being seized with a pleuritick fever, caught by bathing in the river that washes the *Chateau du Loir*, was carried off too suddenly to allow *Henry* to see him before his death: but in tenderness to his *Angevin* subjects, took care by his dying orders⁴,

¹ *Concil. M. Brit.* p. 430. ² *L. ii. c. 7.* ³ *Vita Gaufred. Duc. Norman.* ⁴ *P. 103. Terra sue & genti spiritu presago in posterum praevidens Henrico heredi suo interdixit ne Normannorum vel Anglorum consuetudines in consulatus sui terram permutaret.*

to forbid his heir Henry to introduce the customs either of England or Normandy into Anjou: words, which, supposing Henry to be his heir in Anjou, as well as his mother's in the other countries, are utterly inconsistent with *Neubrigensis's* story. Young *Geffrey* had nothing left him by his father's will, besides the castles of *Chinon*, *Loudun*, and *Mirebeau*, with their dependencies: but not content with this appanage, he had the year after his death (very impolitically indeed, if he had any future expectations of *Anjou*) rebelled against his elder brother, before Henry had got possession of the crown of *England*, or he had any reason to complain of his conduct. The same restless spirit, or envy at his brother's greatness, which prompted him to the former, put him now on another insurrection: which was attended with the same success; all his castles¹ being taken by force, and detained by Henry, lest their strength should tempt him to rebel again. The king however taking pity on him, gave him lands in the open country equal to the others in value: and assisting him to keep possession of *Nantes* (the citizens of which place, having driven out count *Howel*, had received him for their lord) made an accommodation with him, granting him an annuity of a thousand pounds *English*, and two thousand pounds *Angevin*, money.

HENRY II.
A. D. 1156.

III. HENRY, having received the homages of the nobility of *Guienne*, with hostages for assurance of their fidelity, returned in the year following, the week after *Easter* holidays, to *England*²: and landing at *Southampton*, hastened to *London*, to make preparations for an expedition into *Wales*, with an army; which, as every two knights³ throughout the realm were to find a third to serve in it, appeared more than sufficient to reduce the country. Whilst his forces were getting ready, he passed into the country of the *East-Angles* to receive the castles, which *William* count of *Boulogne*, and *Hugh Bigot* surrendered to him in those parts: and keeping *Whitfontide* at *S. Edmund's Bury*, determined, after several hearings, either there or at *Colchester*, the controversy between the bishop of *Chichester*, and the abbey of *Battle*, in favour of the exemption from episcopal jurisdiction, granted to the latter by a charter of *William the Conqueror*. He afterwards held a great council of the prelates and nobility at *Northampton*, where the dispute between the archbishop of *Canterbury* and *Silvester* abbot of *S. Augustine's* was, on July 17, decided against the latter; who was accordingly obliged to make his profession of subjection to the archbishop. These suits, which had lasted for some years, being thus ended, the king⁴ marched with his forces into *Flintshire* against *Owen Guyneth*, prince of *North-Wales*; who lay encamped with his army at *Basingwerk*. The van of the *English* army advancing that way, and passing a wood, called *Coel Eulo*⁵, was on a sudden attacked so fiercely by the *Welsh*, that *Eustace Fitz John*, *Robert de Curcy*, and abundance of others being slain, the rest were put into a terrible disorder, and on the point of flying. *Henry de Essex*, a nobleman of great quality, who enjoyed the office of standard-bearer of *England* by right of inheritance, threw away the royal standard, fled amain, and cried out to all he met, that the king was slain⁶; for which he was, seven years after, accused of treason by *Robert de Montfort*, and being vanquished in a trial by battle, was adjudged guilty; his lands forfeited, and though pardoned as to life, was shorn a monk, and obliged to pass the rest of his days in the abbey of *Reading*. Whether this behaviour of his was owing really to treachery, or was the pure effect of cowardice and terror, it animated the *Welsh* exceedingly, and so disheartened the *English*, that all that part of their army would have been cut in pieces, if the king had not come seasonably to their relief, and

A. D. 1157.
And Wales.

¹ *M. Paris. Chron. Gervaf.* ² *Chron. Norman.* *Chron. Gervaf.* *Concil. M. Brit.* t. i. p. 430.
³ *M. Paris. Chron. Gervaf.* col. 1378, & seq. ⁴ *Powel's Hist. of Wales*, p. 206. ⁵ *Gul.*
Neubrig. l. ii. c. 5. ⁶ *Dic.* col. 535.

HENRY II. forced the enemy to a retreat. This experience of the danger of engaging themselves in the fastnesses of a woody, mountainous, undiscovered country, put the *English* more upon their guard, and altered the method of carrying on the war: the castles of *Rudlant* and *Basingwerk*, which had been dismantled by the *Welsh*, were repaired and fortified; the woods were cut down; the roads opened; and the king having advanced by slow marches in this cautious manner to *Snowdon*¹, *Owen Guyneth*, and the barons of *North-Wales* were forced to sue for peace, to do homage, swear fealty, deliver hostages, and restore all the forts and lands which they had taken during *Stephen's* usurpation.

A. D. 1157. It was during this expedition, that *Malcolm*, king of *Scotland*, came to *Chester*, and did homage to *Henry* for the county of *Huntingdon*; and perhaps for *Leithian* or *Scotland*; since he did it with a salvo to his royal dignity. He had now attained to a proper age for knighthood, and attended the king the next year at *Carlisle*², in hopes of receiving that honour, which was then given to *William* (*Stephen's* son) count of *Boulogne*: but some misunderstanding arising between these two princes, they parted without going through a ceremony, which was deemed in those days a signal mark of mutual friendship, and equivalent to an adoption. It was probably in his return from the north, and at the festival either of *Easter* or *Whitsontide*, that *Henry* wore his crown at *Lincoln*³, not in the city, but in the suburbs called *Wickford*, out of a prudent compliance with the superstitious notions of people, who imagined that a king's wearing it within the walls was always the forerunner of some disaster. Having spent the former part of the year in a progress through *England*, administering justice, and holding his court wherever he went, according to the custom of the age, and the ordinary practice in what was termed a king's *iter* or progress, he⁴ was, upon the death of his brother *Geffrey* count of *Nantes*, in *July*, called abroad in the month following to take care of his foreign affairs.

Henry gets possession of *Nantes* in *Bretagne*.

III. IT was proper for him on this occasion to engage *France* in his interest: and having a conference with *Louis VII*, on the river *Epte*, which separated their territories, they agreed on a match between prince *Henry* and *Margaret* of *France*, the latter's daughter; both as yet children. The king of *England* being invited to *Paris*, was entertained there with the utmost magnificence: and carried thence the young princess; committing the care of her education to *Robert de Newbourg*, steward and justiciary of *Normandie*, till she came to an age fit for marriage⁵. It is said by some writers, that he procured from *Louis*, an easy and weak prince, a commission to enter *Bretagne* as his lieutenant: but though the reputation of a league and alliance with this king might be of great service, it does not seem reasonable to think, that he had any such commission, and that all he either asked or obtained, was only a like acknowledgment of his being *grand seneschal* of *France*, as had been made, in the case of his grandfather *Fulk*, by *Louis le Gros*, in consequence of the hereditary right which the counts of *Anjou* had to that dignity from the time of their first creation. The assuming of this title gave countenance enough to his arms in an invasion of the county of *Nantes*, which he claimed as heir to his brother *Geffrey*: he had no need of any other commission, and wanted no power to carry his point; being master of all the countries that surrounded *Bretagne*, and having had the administration of *Flanders*, with the guardianship of the heir, lately committed to him by count *Thierry*, when he set out on his expedition to *Jerusalem*.

¹ *Chron. Gervaf.* col. 1380.

² *Chron. Melros.* *Hoveden.* *Chron. J. Abbat. Petriburg.*

³ *Chron. Norman.*

⁴ *Hoveden.*

⁵ *Chron. Norman.*

⁶ *Brompton.*

BRETAGNE had for some time been rent by intestine wars, occasioned by the pretensions of *Eudes* viscount *Porbouet*, husband to the dutchess *Berta* (daughter of *Conan le Gros*) and of *Conan le Petit* earl of *Richmond*, her son by her first husband *Alan le Sauvage*, to the government of the dutchy: but *Eudes* being taken prisoner by the lord of *Fougeres*, *Conan* had at last got possession of the whole principality; except the county of *Nantes*, which he likewise seized upon the death of *Geffrey*. It was his undoubted right by inheritance: and *Geffrey* had no title to it, besides what he derived from the submission of the *Nantois*; who¹ having, without any reasonable pretext, cast off the allegiance due to their natural sovereign, had chosen him for their count; but it was in vain that he urged his right in opposition to a superior power. *Henry* summoned him to restore the county: and on his non-compliance confiscated the earldom² of *Richmond*, with all his estate in *England*; equal, at least in point of revenue, to what he enjoyed in the *Pais Nantois*. *Conan*, sure to be a loser, whatever party he should take, apprehensive of new troubles being raised in *Bretagne* by his uncle *Henry*, count of *Penthièvre*, who was returned out of *France* with that design, despairing of any assistance, and utterly unable to oppose the king of *England*, who was with a great army of *Normans* advanced to *Avranches*, and ready to enter his territories, thought it best to deliver up the county of *Nantes*, and make his submission to *Henry*. This being done on *September 29*, the king took possession of *Nantes*: and having reduced the castle of *Tours*, which was held against him, applied himself to the settling of all matters of dispute between him and the princes, whose territories lay contiguous to *Normandie*. He was already on terms of friendship with the king of *France*: and to cultivate it still more, he seized the opportunity of *Louis's* making a visit of devotion³ to *Mont S. Michel*, to wait upon him there; to attend him from thence to *Bayeux*, *Caen*, *Rouen*, and through all the province to the frontiers of *France*; defraying his expences; entertaining him in the most splendid manner; and overloading him with civilities and honours in all places. *Theobald*, count of *Blois*, had been some years in possession of *Amboise* and *Fretteval*, as *Rotrou* count of *Perche* had also been of *Moulins* and *Bommoulins*; the two first of these towns belonging to him as count of *Anjou*, and the two last as duke of *Normandie*: he made in *December* an accommodation with both those princes, and all these places were restored.

IV. THESE measures were taken with the view of preventing any interruption in the prosecution of the war; which the king proposed to make, for asserting his queen's right to the county of *Toulouse*; *Elcanor* being the onely child of *St. William* duke of *Guienne*⁴, son of *Philippa*, the onely daughter and heir of *William IV*, count of *Tolouse*. *Pons III* had two sons; the elder whereof, *William IV*, succeeded him in the county of *Toulouse*, and the younger, *Raimond de St. Gilles*, had the county of *Rhodesz* for his appanage; which he increased greatly by his valour, or by some other means, being master of the best part of *Provence*, and getting possession of the dutchy of *Narbonne*. *William* having no issue male, was desirous of being succeeded in his county by his brother: and with this design conveyed it to him in his life-time⁵ by a contract of sale, probably reserving the superiority to himself with the right of homage; which the *French* historians allow to have been undoubtedly due⁶ from the counts of *Toulouse* or *St. Gilles*, to the dukes of *Guienne*, or (as they were usually styled) counts of *Poitiers*. *William* dying about *A. D. 1090*, *Raimond*⁷ kept possession of *Toulouse*, till he went

The war of
Toulouse.

¹ Chron. Norm. Rob. de Monte. ² Chron. A. D. 1154. ³ Catal. Hist. des Comtes de Toulouse, p. 154, 155, 160, 161, 166, 182, 183, 184, 191, 197, 199, &c.
⁴ Hovingford, p. 493. ⁵ Chron. Gervaf. col. 1380. ⁶ Rob. de Monte. Contin. Sigebert. ⁷ Malm. 1. i. c. 1. v. ⁸ P. Daniel, Hist. de France, Vol. I.

HENRY II. in the first croisade to the *Holy Land*, from whence he never returned; leaving the city and county to the care of his natural son *Bertrand*. He was but just set out on that expedition, when *William* duke of *Guienne*, assuming, in his wife *Philippa's* right, the title of count *de Toulouse*, became, in *A. D.* 1098, master of the city: but going, in *A. D.* 1101, to *Jerusalem*, at the head of that vast army of three hundred thousand men mentioned by *Ordericus Vitalis*, and after various disasters returning thence, stripped of his wealth, as well as sunk in his reputation, was driven out of *Toulouse* by a revolt of the citizens, who did not like being subject to the dukes of *Guienne*. *Bertrand* thus recovering possession of the place, held it till *A. D.* 1109, when he went to the *Holy Land*; where he took *Tripoli*: and dying about three years after, left the territory, dependent on that city, to his son *Pons* and his posterity. *William*, in the mean time, recovered *Toulouse*, and continued in possession thereof, till about *A. D.* 1122; when by the help of the citizens, it fell into the hands of *Alfonso*, the legitimate son of *Raimond de S. Gilles*, by *Elvira*, a daughter of *Alfonso*, king of *Castille* and *Leon*. *Alfonso's* title was still disputed by the dukes of *Guienne*, and, after the marriage of their heiress *Eleanor* to the king of *France*, by her first husband *Louis VII*, who, in *A. D.* 1141, besieged *Toulouse*: but an accommodation ensuing, *Alfonso* kept possession of it till his death; which happened, *A. D.* 1148, at *Cæsarea* in *Palestine*; whither he had accompanied *Louis*, having sold the county of *Rhodes* or *Rouergue* to defray the charges of his expedition. He was succeeded by his son *Raimond V*; who, upon the death of *Eustace*, the son of king *Stephen*, had married his relict *Constance*, sister to *Louis VII*; hoping, by this *French* alliance, to be able to make head against so powerful a competitor as the king of *England*, who, in the right of his wife *Eleanor*, now claimed and resolved to reduce the county of *Toulouse*.

It was an enterprize of great importance, and attended with many difficulties; it was a work of time to take by force so strong and populous a city as *Toulouse*: and to supply pay at the usual rate, with provisions, to the knights his vassals, after the expiration of the forty days service, to which they were obliged by their tenures, was likely to involve *Henry* in an insupportable expence. To provide against this inconvenience; and that he might not be obliged, for want of money, to quit the siege, when the place was on the point of surrendering, he raised sixty *Angevin*¹ shillings² upon every noble fief in *Normandie*, and his other foreign dominions, that lay at a distance from the scene of his enterprize. The usual manner hitherto observed universally throughout *Europe* in raising armies, was by the king's sending orders to his military tenants to take the field, with a certain number of their vassals in proportion to the value of their fiefs: and an army being formed of these, each lord and gentleman had a command in it, greater or less, according to the quantity of his lands, and the number of his followers. This personal service was very inconvenient and burdensome, especially to the lesser gentry, when a war was to be carried on in remote countries; the charges of going to the army and returning thence, which they bore themselves, being very great; their domestick affairs suffering; and the tillage of their lands being neglected, during their long absence, and that of their attendants, who used to be employed at home in husbandry. It was much more agreeable to them in such a case to advance money (as prelates were often allowed to do) than to furnish troops and go in person: and *Henry's* military tenants in *England*, *Normandie*, and *Anjou*, came readily into this proposal of commuting by a pecuniary payment, for their personal service in the expedition of *Toulouse*. This payment was termed *scutage*: and this is the first time we find any

¹ *Chron. Norm. Rob. de Monte.*

² This was probably the same rate that was laid at this time upon knights fees in *England*, though in after-times, money lessening gradually in its

weight, nineteen shillings and six-pence *Angevin* money made only a mark of silver, as *Du Fresne* shews in his *Glossary*, v. *MONET. ANDRAGAVENSES.*

mention made of it in history: it seems to have been charged in *England* at the rate of three pounds a knight's fee¹, and raised the sum of an hundred and eighty thousand pounds. With this money *Henry* levied a very numerous army of mercenaries, or *militēs*² *scildarii*, as historians of the time call them, which being put under the command of the most experienced of his nobility and gentry, and joined as well by his military tenants with their followers in *Guienne*, as by the troops of his allies, made a force sufficient for the intended expedition.

HENRY II.
A. D. 1159.

THE king having kept his *Christmas* at *Cherbourg*, and left commissioners to raise volunteers³ in *Normandie*, came over into *England*: and passed the *Easter*⁴ holidays at *Worcester*; where he and his queen coming to the offertory, laid their crowns upon the high altar; vowing never to wear them more as long as they lived. Thus was an end put to the solemn coronations of our kings at the great festivals: and *Henry* having raised the scutage, which seems to have been the chief business that brought him over, hastened abroad to *Guienne*; being attended thither by *Malcolm* king of *Scotland*, whom he knighted in this expedition, *William* count of *Boulogne*, who died in it, and abundance of the *English* nobility with their followers. These, desirous to distinguish themselves by their zeal for the king's service, seem all to have made the campaign at their own expence; at least, if the rest followed the example of the chancellor, who (as *Fitz Stephens*⁵ says) had seven hundred choice knights or gentlemen that served on horseback of his own family or dependants. *Henry's* first attempt was upon *Cahors*, the capital of *Quercy*: this being soon taken, he fell upon the county of *Toulouse*⁶, and made himself master of *Verdun*, *Castelnau de Stretefons*, and some other places; being assisted by the troops of *William* lord of *Montpelier*, and those of *Trincavel* viscount of *Beziers* and *Nismes*; who having been taken by the count⁷ of *Toulouse* some years before, had been forced for his ransom to give up several of his castles, which he recovered on this occasion. He was joined likewise in *August*, by the forces of *Raimond Berenger*, count of *Barcelona*; in consequence of a treaty, made between them at *Blaye*, and providing that *Richard*, the king's second son, should espouse the count's daughter, and be put in possession of the duchy of *Guienne*, as soon as the young couple were of an age fit to be married.

THE count of *Toulouse* had lost a great part of his territories: and most of the fortresses about his capital being taken by the enemy, it was either blocked up, or in a manner invested; when the king of *France*, whose sister he had married, came with a small body of troops to his succour, and threw himself into *Toulouse*⁸. This was a great surprize to *Henry*; who did not expect such an act of hostility from a prince, with whom he had so lately contracted an alliance, and seemed to be on a foot of intimate friendship, and who had himself insisted on *Eleanor's* right before his divorce from her: and it gave him the more vexation, because it broke all his measures. It was deemed in those days a shameful breach of honour and duty for a vassal to fight against the person of a sovereign, to whom he had done homage for any fief held under him: and *Henry* was so much influenced by this prevailing notion, that, notwithstanding his resentment, and the advice of the chancellor *Becket*, who pressed him to take *Louis* prisoner (which was easy to be done before more *French* troops came up) he would not assault⁹ a place defended by the king of *France* in person. This circumstance rendering his stay about *Toulouse* useless, he left his affairs in those parts to the care of the count of *Barcelona* and the viscount of *Beziers*: and marched, in *October*, to *Normandie*, which had been in-

¹ Chron. Gervais. 1381.

² Rob. de Monte.

³ Vit. S. Thomæ à Stephanide, p. 22.

⁴ Chron. Norm. ⁵ Hoveden. ⁶ Vit. S. Thomæ

⁷ Gul. Neubrig. l. ii. c. 10. Rob. de Monte.

⁸ Becket, p. 22. ⁹ Chr. Norm. Rob. de Monte.

Chron. Norm. Dicet. col. 531. M. Paris. Vit.

¹⁰ Gail, Hist. des Comt. de Toulouse, p. 209.

S. Thomæ à Stephanide, ib.

HENRY II. vaded by *Robert* count of *Dreux*, and *Henry* bishop of *Beauvais*, brother to *Louis*, with the view of drawing him from the siege of *Toulouse*, by that diversion. *A. D. 1150.* *Henry*, allowing his forces to rest but a few days after their long march, fell into the *Beauvoisis*; took the strong fortress of *Gerberoy*; levelled it with the ground; and burnt several towns and villages in the neighbourhood. Whilst the war was carrying on in these parts, *Fitz Stephens*¹ says, that the chancellor, besides the seven hundred knights abovementioned, maintained for forty days twelve hundred others of less quality (all having their diet at his table, and each receiving from him three shillings a day to provide for his horses and esquires) and four thousand servants². This seems to have been the whole time that the war lasted, for *Simon de Montfort*, count of *Evreux*, having delivered up his castles of *Montfort l'Amauri*, *Rochefort*, and *Epernon* to *Henry*, and the garrisons of those places doing great mischief about *Paris*, by ravaging the country, and cutting off the communication of that city with *Etampes* and *Orleans*, this was found so inconvenient by *Louis*, that he agreed to a truce from *December* to the *Sunday* after *Whitsonide*.

A. D. 1160.

Henry quarrels with *France*.

V. THIS cessation of arms was followed by a treaty of peace; which was concluded in *May*, but not ratified till the *October* following: nor was there any great likelihood of its continuance, considering the animosity raised between the two kings, on occasion of the affair of *Toulouse*. *Henry* seems to have had either no expectation of a peace, or else a rupture in his view; when, after having kept his *Christmas* with his queen at *Falaise*, he sent her thence into *England*, where she staid till *September*, and then brought over prince *Henry*; who, upon the peace, did homage to the king of *France* for *Normandie*. The prince was as yet but in the sixth year of his age: yet his father causing him to be affianced to *Margaret*⁴ of *France* at *Newbourg*, in *November*, took occasion from thence to seize *Gisors*, and other places assigned for the young princess's portion. *Louis* incensed at this hasty proceeding, put *Theobald* count of *Blois* (whose sister *Adela* he had lately married for his third wife) upon fortifying *Chaumont*, a place very conveniently situated for making incursions over *Touraine*. *Henry* marched thither immediately with a body of troops, which the count was unable to oppose; took the fortress, and put it into the hands of *Hugh d'Amboise*⁵; whose father having been treacherously seized by *Theobald*, and dying in prison, the son was on that account become his mortal enemy. To secure his frontier on that side, he fortified *Amboise* and *Fretteval*: and retiring to pass the *Christmas* at *le Mans*, took into his own hands all the castles of the count of *Evreux*; giving orders at the same time to have the fortifications on the borders of all his territories towards *France*, put into good order during the winter.

WHEN the following spring allowed the campaign to open, the king of *France* entered the *Vexin Normand* with a considerable army; whilst the count of *Blois* marched with another to invade *Normandie* on the side of *Chateaudun*: but they found all places so well provided, that they durst not make any attempt. *Henry* assembled his forces to oppose them, and the armies were several times in sight of one another: but neither of the kings caring to venture a battle⁶, a truce was made till *Midsummer*,

¹ *Ib.* p. 23. ² I take these servants to be ordinary horsemen, each knight (in imitation of the ancient *Trimarchia* among the *Celtic* nations) having three horses in the field, two of which were mounted by these *Servientes* or attendants, who were probably gentlemen or esquires: it is plain that they could not be foot, because their day's pay was the half of what was allowed the knights themselves, as appears from *Rot. claus.* 9 *Hen.* 3. m. 1. where allowance being made for *W. Malet's* service in *Poitou*, in king *John's* army, his heirs were allowed for ten knights and twenty servants at the

rate of two shillings for the first, and twelve pence a day for each of the latter. But I do not think that the chancellor *Becket* maintained these one thousand nine hundred knights, and double the number of *Servientes*, computed at the round number of four thousand, out of his own purse, but rather out of the lands and rents of the crown, which he had in his custody and receipt.

³ *Chron. Norm.* ⁴ *Dicet.* col. 532.

⁵ *Lib. de Ambascie in Duchery Spicil.* t. x. p. 579.

⁶ *Rob. de Monte.*

and continued afterwards. During this interval, overtures were made for a peace: HENRY II. and it was agreed to put *Gisors*, *Neasle*, and *Neufchatel* on the *Epte*, into the hands A. D. 1161. of *Totes de S. Omer* and *Robert de Pirou*, knights templars, by way of sequestration, till the actual marriage of prince *Henry* with *Margaret*; when they were to be given up to the king of *England*. This temporary accommodation reviving a correspondence between the two kings, they thought it proper, after near two years delay, to declare their sentiments with regard to the schism, that had happened on Pope *Adrian's* death, and agreed together, that *Alexander III* should be received for the true Pope in all their dominions. This was done in *July*, in two councils held at the same time in the neighbourhood of each other¹, the one by *Louis* at *Beauvais*, the other by *Henry* at *Neumarché*; the cardinals of *Pisa*, *Pavie*, and *Naples* being present at them on the part of *Alexander*, as those of *Crema* and *St. Martin* also were, to plead the cause of *Ostavian* the antipope, who had assumed the name of *Victor*. There seems to have been more of formality in this transaction, than of any real design to give a fair hearing to the parties, and of judging according to the merits of their election; the kings being predetermined in favour of *Alexander*: at least *Henry* was so, since as well at his request, as on the instances of the prelates of *England*, and the credit of a book of his miracles, probably that of *Ailredus Rievallensis*, this Pope had, on the seventh of *February* before, canonized *St. Edward the Confessor*. This act, in consequence of those instances, sufficiently intimates, that he was then acknowledged in this kingdom: and yet *Henry* had but a little before issued very severe orders against the bishops of *Rouen*² and *le Mans*; because they had acknowledged *Alexander*, before he had done it himself.

THE same truce likewise allowed *Henry* to make a sudden expedition into the county of *Toulouse*, and to take, on *August* 10, after a siege of eight days, *Castillon*, a very strong place on the *Garonne* above *Agen*: but the war between the two crowns had like to have been renewed again on the following occasion. The king of *England's* impatience to recover the *Vexin Normand* (which had been in the hands of the *French*, ever since the dispute between his father and *Stephen* about the duchy, after the death of *Henry I*) and to secure the frontier of *Normandie*, on a side where it lay most exposed, had engaged him to treat³ with the templars for the delivery of *Gisors*, and the other sequestered places: and tempting them with promises which they could not resist, he got them into his own possession. They were banished out of *France* for this breach of trust: but found an ample recompence for their losses in that country, by the favours and honours heaped upon them by *Henry*; whose conduct in this matter made *Louis* ever after suspect his sincerity. An immediate war however was prevented by the mediation of the *Pope's* legates; who succeeding in their endeavours to preserve peace between the two crowns, solemnized the marriage of the young couple.

VI. HENRY, no longer taken up by affairs of war, applied himself to redress Henry's care some disorders, which had crept as well into the ecclesiastical⁴, as the civil state of to improve *Normandie*: and having passed the *Christmas* at *Bayeux*, called a council of his prelates and nobility on the first *Sunday* in *Lent* at *Rouen*, and another soon after at his revenue. *Lisle bonne*. A. D. 1162. It is very probable that in one of these, they all swore fealty, and did homage to prince *Henry*; who was sent over into *England* in *April*, or the beginning of *May*, to receive the like assurances of allegiance from the bishops, abbots, and nobility of this country; the chancellor, to whose care he had been committed,

¹ *Concil. M. Brit.* t. i. p. 433. *Gul. Neubrig.* l. ii. c. 9. *Baron. Annal.* t. xii. p. 583. ² *Concil.* *M. Brit.* t. i. p. 434. ³ *Fitz Stephens Vit. S. Thomæ*, p. 18. ⁴ *Hoveden.* ⁵ *Concil. Rotomag.* 4to. p. 131.

HENRY II. being the first that did him homage, with a *salvo* to the faith he owed his father during his life or government. The king himself was detained abroad all the rest of the year, taking measures for the good order and security of all his foreign dominions: and had thereby an opportunity¹ of waiting on Pope *Alexander*; who having landed in *Easter* week near *Montpelier*, came, on *August* 14, to *Clermont* in *Auvergne*. During his stay in this neighbourhood, and some time between that day and *Michaelmas*, he had an interview at *Toucy* on the *Loire* with the kings of *France* and *England*; who did him the honour to hold his stirrups when he mounted, and the reins of his bridle, as he rode on horseback; and being reconciled by his instances, the peace between them seemed to be firmly established. *Henry's* presence became now less necessary abroad than it was in *England*; where all the mischiefs of *Stephen's* usurpation were not yet removed; several disorders then introduced, still continued, notwithstanding all the king's care to correct them; and particularly a good deal of confusion in what related to the revenue. To prepare matters for a proper reformation in this point, as *Rotrou* bishop of *Evreux*, brother to *Roger de Beaumont* earl of *Warwick*, and *Reginald de S. Valery*, were, in order to prevent the disputes which frequently happened between his officers and those of the bishops² of *Normandie*, employed there to enquire into the rights of the duke, the bishops, and others in each diocese: so he resolved to appoint the like commissioners³ in *England*, to make a general inquisition through the kingdom for ascertaining what rights belonged to the crown, and what secular services were due from all: and this being taken accordingly, seems to have served for a rule in levying the aid for the marriage of *Maude*, this king's eldest daughter⁴, and to be the same, which is still preserved on record in the *Red book of the Exchequer*. The king himself and his queen came in *December* to *Barfleur*⁵, with the design of embarking for *England*: but the wind being contrary, they passed the *Christmas* at *Cherbourg*, and did not land at *Southampton* till *January* 26, in the year following.

A. D. 1163. HENRY, upon his return to *England*, either found it unmolested by any enemy, or soon put an end to such incursions, as frequently happen on the borders of a country. *Malcolm* king of *Scotland*⁶, sued to him immediately for peace: and obtained it by the delivery, as well of his brother *David*, with the sons of some of his barons for hostages, as of such castles as the king of *England* thought fit to demand by way of security, for its being observed. *Owen Guineth* and *Resc*, princes of *North* and *South-Wales*, with several barons of those principalities, made likewise their submission: and repairing to the king's court at *Wodestoke*, did homage there to the king and his son *Henry*, at the same time with *Malcolm*, on the first of

¹ *Baron. Annal.* t. xii. p. 590, 593. ² *Rob.*

de Monte. ³ *Dicet.* col. 536. *M. Paris. ann.*

1163. ⁴ How long time this inquisition took up in making, is uncertain, but the matters of enquiry recited in the certificate of *Roger* archbishop of *York*, in the *Red book*, and directing an account of what knight's fees every one had at the time of *Henry* the first's decease, as well as of what he enjoyed at the time of taking it, shew it to be the first of the kind that was taken in the reign of *Henry* II; who perhaps finding the number of fees, commuted for at the expedition of *Toulouse*, less than he imagined, or else suspecting that some had been secreted or usurped during *Stephen's* government, naturally ordered such an enquiry. *Maude* was not married to the duke of *Saxony* till A. D. 1168, and several of the persons mentioned in the

Red book, as delivering in certificates of their fees, died before either the marriage took effect, or the money was levied for her portion. Thus *Robert*^a abbot of *S. Alban*, and *Geoffrey* earl of *Effex*, died A. D. 1167. *Robert de Chesney* bishop of *Lincoln*, died very early in the same year (viz. in *January*) if not in 1166^b; *Robert* bishop of *Bath* and *Wells*, expired in the year 1166, if not in 1165^c; and *Walter Giffard* earl of *Buckingham*, dying without issue, was buried in his abbey of *Nutley*^d, A. D. 1164, and his lands being thereupon taken into the king's hands, remained in the crown, till the first year of king *John*; when a partition was made between his heirs by his sisters^e. ⁵ *Dicet.* col. 534. *Chron. Norm.* f. 999. *Chron. Trivet.*

⁶ *Ib.* *M. Paris.*

^a *M. Paris. Vit. S. Abb. S. Alb.* p. 90. ^b *Angl. Sacr.* t. i. p. 301. *Chron. J. Abb. Petriburg.* ^c *Angl. Sacr.* t. i. p. 561. ^d *Chron. Nic. Trevet.* A. D. 1164. *Vincent's Discovery of Errors in Brooke*, p. 81. *C Camden's Britannia in Buck.* ^e *Chart.*

¹ *Job.* part 2. n. 83.

July. Henry had not yet been plagued with any disturbance within his realm; which considering the licentiousness, violence, and disorders, that had over-run it for near twenty years together before he came to the crown, is an evident proof of the equity and wisdom of his government: but now he became involved in a very troublesome affair, which for many years gave him an infinite deal of anxiety, and interrupted all the measures of his administration. It was a dispute about ecclesiastical privileges, the claims of the church, and the rights of the crown; in which he came, by his zeal for justice, to be engaged with *Thomas* archbishop of *Canterbury*: a man of an haughty spirit, inflexible temper, unmeasurable pride and ambition; hasty, rash, and violent in his proceedings; yet too obstinate and intrepid to be diverted by any difficulties, dangers, or motives, from persisting in what he had once undertaken, for the gratifying of his passions, or in consequence of a mistaken principle.

VII. THIS prelate was the son of *Gilbert Becket*¹ (a citizen of *London* of the middle sort, who had once served the annual office of sheriff) by his wife *Maude*: and passed the first twenty years of his life, either at home with his parents, or in the schools of the city. He went afterwards to study for some time at *Paris*: and upon his return, getting to be a clerk and accomptant in the sheriff's office, he there came to be first acquainted with business, and acquired a good measure of knowledge in secular affairs. Archdeacon *Baldwin* and his brother *Eustace*, being lodgers in his father's house, and taking a fancy to the young man, recommended him to archbishop *Theobald*, with whom they were intimate. *Thomas*, being taken into his family, and having the churches of *S. Mary Le Strand* (where *Somerset-house* now stands) and *Otteford* in *Kent*, with a prebend of *London*, and another of *Lincoln* given him, went to study the civil and canon laws at *Bologna* in *Italy*²; from whence, after a year's stay, he passed to *Auxerre* in *Burgundy*, for a further proficiency in that kind of learning; which in those days was the surest way to ecclesiastical preferments. *Theobald*³ was such an admirer of the civil law, that when he was promoted from the abbacy of *Bec* to the see of *Canterbury*, he brought over with him *Roger*, a monk, afterwards abbot of that monastery, commonly surnamed *Vacarius*⁴, to teach it the clergy and others in his family or seminary: but *Stephen*, prejudiced by his brother's suggestions against the archbishop, and all that he did, issued out a proclamation for suppressing all books of the civil law; forbade *Roger's* lectures; and obliged him to depart the kingdom. But the finding of the *Medicean* copy of *Justinian's Pandects*, supposed by *Angelus Politianus*⁵ to be that emperor's own book, at *Amalfi*, in *A. D.* 1137; and the explanation thereof by the famous *Irnerius*, who had for some years before been explaining the *Code*, *Institutes*, and *Novellæ*, to those many eminent civilians, which his school at *Bologna* furnished for the instruction of most parts of *Europe*, had brought the civil law into such request; that it was universally studied all over the west, where it was scarce known before: and the prohibition thereof only served to make curious persons more eager to acquire a knowledge of it in *England*. The canon law had been much longer known in its substance, though not observed in the same uniform manner, nor digested into the same method. It hath been already mentioned, that archbishop *Theodore* brought over with him the *Code of the universal church*: and it had been received, in *A. D.* 673, by the *English* church in the council of *Redford*. This

HENRY II.
A. D. 1163.

The king's
dispute with
archbishop
Becket.

¹ Vit. S. Thomæ Cant. à Stephanide, p. 10, 11, & seq. Epist. S. Thomæ, l. i. Ep. 108.

² Brompton. ³ Policraticus, l. viii. c. 22. See Selden's Diss. in Plotam, c. 7. ⁴ This was probably a title, like that of *Baccalaureus*, which now

began to be in use, and to be conferred by the delivery of a rod to students in the laws, when advanced to the dignity of Doctor in the academies of that age. See Panciroli de Claris legum interpretibus, l. ii. c. 3. ⁵ L. x. Ep. 14.

HENRY II. code ended with the council of *Chalcedon*: but *Dionysius Exiguus* inserted likewise in his collection the canons, made by the eastern and *African*, but received also by the western churches, with the addition of some decrees of eastern bishops and of Popes; these last beginning with those of *Siricius*, made about *A. D.* 385. To these were afterwards added the canons of the fifth and sixth general councils, ending with the council of *Trullo*, *A. D.* 683: and the code thus composed, being received by the church of *England* in the council of *Chaleyth*, *A. D.* 787, was with the canons, made in her own provincial or national synods, the rule by which, in the *Saxon* times, bishops regulated their proceedings and judgments in ecclesiastical causes. This code was interpolated by *Isidore*, commonly called *Mercator*; who flourished about *A. D.* 800, and inserted in his collection, the spurious decretal epistles of several *Popes* more ancient than *Siricius*; forged designedly to aggrandize the court of *Rome*, and published by *Riculfe* of *Mayence*, about *A. D.* 830; but yet implicitly received in an age, which had very little critical learning, and quoted by foreign prelates and writers with the greatest deference, as if they had been genuine. It was probably with the same view, that *Lafranc*, when put by the *Conqueror* at the head of the church of *England*², recommended above all things the study of those decretal epistles; which (it hath been formerly observed) were the main foundation, as well of the absolute obedience that *Abbas*, in his dispute with *William Rufus* and *Henry I*, professed to the see of *Rome*, as of the usurped authority of *Pope Paschal II*, and of his pretensions to receive appeals from *England*. These spurious epistles, with many of *Isidore's* fabulous relations, were likewise inserted in the collections made afterward by foreign canonists for the better establishing the ecclesiastical jurisdiction and the papal usurpations, by distributing the canons according to the subjects to which they related. The most famous of these collections were those of *Burchard* bishop of *Wormes*, and *Leo* of *Chartres*: they were used in ecclesiastical courts, till the celebrated *Decretum* of *Gratian*, compiled *A. D.* 1151, at *Bologna* appeared. This, though erroneous³, immethodical, confused, and abounding in false citations, soon eclipsed all the rest; having been presented to *Eugenius III*, and countenanced, made use of, and encouraged by the *Popes* his successors, in order to raise their own authority, and depress that of the emperors and other princes. Many constitutions⁴ in it are taken from the *Institutes*, *Digests*, *Code*, and *Novels* of *Justinian*; whose plan the compiler proposing to follow, divided his work into three parts: the first entitled, *Distinctiones*, containing the principles of the canon law in general, and the rights or privileges of ecclesiasticks; the second under the title of *Causæ*, reporting the decision of many particular cases, for the easier solving of questions in conformity, or by analogy, to former precedents; and the third, *de Consecratione*, treating of what relates to the ecclesiastical ministry, the sacraments, rites, ordinations, and consecrations. This work of *Gratian* was received with the greatest applause by the canonists, especially by those of *Bologna*; it was taught publicly in the schools: and being, in a short time, either illustrated or puzzled by a multitude of commentators, was considered, if not as a compleat body, at least as the principal part of the canon law; which from this time was generally studied, jointly with the civil.

BECKET, having by the study of these laws, qualified himself for the transacting of business in the court of *Rome*, was sent thither by *Theobald* on several negotiations⁵; which served not only to introduce him to an acquaintance with the principal persons about that court, but likewise to display his abilities; and being

¹ *Canon. A.*² *Ep.* 23.³ See *Anton. Augustin. de Emendat. Gratian.*⁴ *Selden in Flt. c.* 6.⁵ *Vit. S. Thomæ à Steph. p.* 12, & seq.

managed with dispatch and success, recommended him so effectually to his patron, HENRY II. that, upon the promotion of *Roger de Pont l'Evêque*¹ to the see of *York*, he was ordained deacon, and made archdeacon of *Canterbury*, about a fortnight before the death of *Stephen*. When *Henry II* was crowned, *Theobald* recommended to him *Becket* for the post of chancellor, the first of the kingdom in point of power and dignity; the person invested with it having, at that time, the custody of the great seal, the care and disposal of the king's chapel, the custody of all vacant prelacies, and of such baronies as fell into the hands of the crown; a right to be present in all the king's councils, even though he was not particularly summoned; with the sealing of all writs, commissions, and letters patents; so that scarce any thing of consequence could be done in the realm without his knowledge, intervention, or advice. *Thomas*, advanced to this dignity, held his archdeaconry², the provostship of *Beverley*, the deanery of *Hastings*, with a vast number of other ecclesiastical preferments at the same time: *Fitz Stephens* thinks him modest in not taking all the livings in the kingdom to himself. He was constable too of the tower of *London*, and had all the knights service annexed to it; with the honour of *Eye*, in which were an hundred and forty knights, and that of the castle of *Berchamstede*, not less considerable. With these revenues, and the profits of the king's lands in his custody, he made a prodigious figure, and kept an open table for all persons of fashion; earls and barons dining with him daily by invitation, and no cost being spared either to purchase the greatest rarities, or to dress them deliciously, so that (it is observed) one dish of eels cost him an hundred shillings. The apartments in his house were adorned with the richest furniture; gold and silver vessels glittered in all his rooms of state; his horses bridles were of silver: and all his equipage exceeding sumptuous. An infinite number of knights came to do him homage, and were retained in his service; the nobility, as well of *England*, as of the neighbouring kingdoms, sent their children to serve him; who having been well maintained and instructed in his family, were some of them kept about him, and the rest sent back to their fathers and relations, dignified with the honour of knighthood: the king entrusted to his care the education of prince *Henry*, and came frequently to see the pomp of his entertainments. He had fifty-two clerks in his service, most of them in his family; employed in taking care either of vacant prelacies, or of his own ecclesiastical preferments: and scarce a day passed, but he made several large presents of horses, vestments, plate, or money. When he was to cross the sea, he would not have less than six ships to attend him; though the king was usually content with one for himself: and being sent on an embassy to *Paris*, to demand the princess *Margaret* in marriage for prince *Henry*, he appeared with such an equipage and grandeur, as amazed all the spectators. This must have cost him an immense sum; since in the first three days after his arrival, during which he was lodged in the temple, and entertained at the king of *France's* expence, it was necessary to make provision for a thousand persons; and he affected to surpass all the foreign world in magnificence, in an ostentation of *English* wealth and luxury, and in making presents of all the plate, horses, furniture, vestments, and other ornaments of his publick entry. His diversions were hawking, hunting, playing at chess, and perhaps tilting; in which he was so expert, that, when he served in *Normandie*, with the great number of knights abovementioned, he unhorsed *Engelran de Trie*, a *French* nobleman of the *Vexin*, and carried off his courser in triumph. Such was the manner of life which *Thomas* led, whilst he was chancellor: but when he came, contrary to the advice of the empress *Maude*,

¹ *S. William* archbishop of *York*, dying on June 8, A. D. 1154 (*Stubbs's Acta. Pontif. Ebor.* col. 1722.)
Roger was consecrated on October 10, next follow-

ing *Chron. Gervas. Cant.* col. 1376.

² *Epist. S. Thomæ*, l. i. Ep. 108.

HENRY II. and the sense of the church and kingdom, to be advanced to the church of *Canterbury*, he assumed a very different manner, and seemed to affect nothing but austerity; though he was not so fond of having monks about him¹, as lettered noblemen, proper to gain him an interest in the kingdom.

His promotion was entirely owing to the king; for notwithstanding the formality of an election by the monks of *Christ-church*, and of an approbation by the suffragan bishops of the province, the consent of the crown was absolutely necessary; and the others always took care to choose and accept whomever the king recommended. Whatever difficulty either of those bodies might be apt to raise under a weak government, there was no entering into a dispute with a prince, so wise and vigorous in his administration, and so much master of his dominions, as *Henry*. Hence an objection was made to *Becket's* being a secular, and when the king's letters in his behalf were notified by *Richard de Lucy*, the chief justiciary, to the monks and bishops, they readily concurred in his election; nobody offering to express a dislike, except what may be inferred from the words of ² *Gibert Foliot* bishop of *Hereford*, soon after translated to *London*; a prelate of great merit, capacity, and talents for business, eminent in most parts of learning, and an excellent judge of men, who said on the occasion, "that the king had wrought a wonder, in turning a secular and "a knight into an archbishop." *Thomas* thus elected was on *June 3, A. D. 1162*, the first *Sunday*³ after *Whitsunday*, (having been ordained priest the day before by *Walter* bishop of *Rochester*) consecrated archbishop of *Canterbury*, by *Henry* bishop of *Winchester*; who (assisted by most of the suffragans of the province, presided in that act, as chantor to the archbishop, in the vacancy of the see of *London*, the bishop whereof would have officiated in it, as his dean) and upon the rejecting of the archbishop of *York's* claim and offer to consecrate him, because he would not make him a profession of canonical obedience.

THE two first acts of *Thomas* after his elevation, serving to shew the vanity of the man, and to prepare the king for what he found afterwards in his conduct towards him, are not improper to be mentioned. He imagined his consecration to be a matter of such importance to *Christianity*, and the church of *England*, that he would needs have the day of it distinguished by a solemn festival: and accordingly instituted the feast of the holy trinity to be kept on that day; saying himself the communion office specially appointed for it, which hath ever since been observed in *England* and the following *Sundays* have taken their denomination from it; whereas they are still computed in foreign parts, as they were here before this event, according to the order in which they follow *Whitsunday*. The other act was, his sending immediately the seals of his office of chancellor to the king, without waiting his return from abroad; an act, which *Henry* considered as an affectation of independency, and a declaration that he was to expect no service from him in the affairs of his kingdom. This the king is said⁴ by some writers to resent so much, that he could not help shewing a coldness to the archbishop, when he met him at his landing in *England*; which was the more remarkable, because of their former intimacy: nor did *Thomas* recover his favour by giving the archdeaconry of *Canterbury* to *Geffrey Ridel*, after having long stood out against his most earnest and repeated instances in *Geffrey's*⁵ behalf.

¹ *Epist. S. Thomæ* l. i. *Ep.* 53. 126.

² *Wharton. de Episc.* *London.* p. 68.

³ *Diceto*, col. 633. *Chron. Gervas.* col. 1383.

⁴ *Heribert*, in the life prefixed to the epistles of *Becket*, published in quarto at *Bruxelles*, *A. D.* 1682, p. 27. says, that when the king landed at *Southampton*, he received the archbishop with his usual kindness, and after being several days together, during which nothing passed, but what shewed *Becket* to

be in his highest favour, they parted entirely satisfied with one another; so that perhaps the coldness between them did not commence till after the latter's return from the council of *Tours*, and upon the king's being informed of the resolutions he had taken there.

⁵ This shews that in those days, it was no part of the prerogative of the crown to present to preferments voided by promotions to bishopricks.

THIS coldness was much increased in a little time by *Becket's* conduct, after his return from the council of *Tours*, held¹ on *May 19*, being the *Sunday* after *Whit-funtide*, by Pope *Alexander*: who received him with extraordinary honours, and granted his church all the privileges he desired. There was a² canon made in this council against the usurpation of ecclesiastical goods by the laity: and whether *Thomas* thought himself obliged by this canon, or was encouraged by the Pope (with whom he probably now concerted the measures he afterwards pursued)³ to attempt the recovery of all lands alienated from his see, he was no sooner returned home, than he demanded of the king⁴, the custody of the castle of *Rocheſter*, and the manors of *Saltwode* and *Hetbe*, as belonging to the church of *Canterbury*. *William de Ros*, who enjoyed in *Kent* six knight's fees and an half of ancient feofment in the time of *Henry I*, was found by the late inquisition to hold them of the king⁵. The archbishop claimed them, or at least the superiority thereof, as having been once granted by king *Stephen* to the church of *Canterbury*⁶; though that grant had been, with others, resumed at the accession of *Henry II*, upon this undeniable maxim in law and reason, that a rightful king could not receive any prejudice, or have his property alienated by the acts of an usurper; who having himself no right in the thing granted, could convey none to another. He pretended also to the castle, with all the honour, of *Tunbridge*, possessed by *Roger* earl of *Clare* or *Hertford*, great grandson to *Richard Fitz Gilbert*, to whom it had been granted by *William the Conqueror*. This grant was not a meer⁷ act of bounty, but made for a valuable consideration, in lieu of the castle of *Briſſne* in *Normandie* with all the land about it for a league, in circumference; upon the surrender whereof to *William*, a recompence was made by a conveyance of the same quantity of land measured by a chain to *Richard*. It had been confirmed by the archbishops of *Canterbury*: but *Becket* pretending that, according to the decretals, his predecessors, as trustees to the church, were allowed to improve its⁸ revenues and estates, but not lessen or alienate them, summoned *Roger* to do homage to him on *July 22*: and sued him for an honour, which his ancestors had hitherto held of the crown and enjoyed unmolested. This is said to have alarmed and disobliged the chief nobility of *England*, who were most of them related or allied to the earl of *Clare*: and he certainly offended the king⁹ by his proceedings in the case of the church of *Eynesford* in *Kent*, which he had bestowed upon one *Laurence*, on a pretence which appears somewhat extraordinary, which was certainly illegal, and would lay the foundation of numberless disputes, and usurpations on the right of patrons; maintaining it to be the archbishop's prerogative to present to all churches in the manors, either of his military tenants or of the monks of *Canterbury*, when they became vacant.

It was an arbitrary, if not an infamous, practice in that age, adopted after the example, and by the encouragement of Popes, for bishops to take upon them to be judges in their own causes: and when they had a dispute with any one, either for the defence or recovery of their temporal possessions, to wave proceedings at law, and

Such an encroachment on the rights of patrons owed its origine undoubtedly to the arbitrary maxims and rapacious measures of the Popes, who stuck at no injustice to increase their own power.

¹ *Ib.* col. 1314. *Vita S. Thomæ*, p. 26.

² *Can.* 3. in *Baron. Annal.* t. xii. p. 608. but the 7th in *Neubrig.* l. ii. c. 15.

³ *Neubrigenſis*, l. ii. c. 16. says, it was at this council that *Becket*, on pretence of a scruple of conscience, for having been promoted by the king's means, secretly resigned his archbishoprick to *Alexander*, and received it again from this Pope's grant.

⁴ *Chron. Gervasi.* col. 1384.

⁵ *Hearne's Lib.*

Niger. Scacc. p. 66. *M. Paris. Vit. S. Thom.* p. 78. ⁶ *Epist. S. Thomæ*, l. iii. ep. 65.

⁷ *Gul. Gemetic.* l. viii. c. 15. ⁸ *Dicto*, col. 536. See *Camden's Brit.* in *Kent*.

⁹ There is another occasion of the king's being displeased with the archbishop, mentioned by some writers, and quoted from a manuscript history of his life, preserved in *Gresham* college, and wrote by one *Edward Ryme*, or perhaps *Grim*; but as it is founded upon a supposition that the two shillings an hyde, levied for *Danegeld*, was not for the king's use, but was due to the under sheriffs that held the county-courts, the story is too absurd to need a serious refutation.

HENRY II. load him immediately with an excommunication; a censure used in the primitive church, only in the case of hereticks, or for the correction of publick sinners, to avoid scandal. They had persuaded the people, that damnation was the certain consequence of this censure, without making any distinction as to the justice or error of the sentence, and the occasion wherein it is denounced: and the dread, with which it struck all orders of men, even officers and soldiers, used to rapine, and who seemed to have no sense of religion in any other respect, besides the reverence which they paid to the goods of the church, is inexpressible. Hence the clergy found a great advantage by their hasty excommunications, not only in the protection of their own goods, but likewise in the acquisition of large estates from the laity; who finding in troublesome times ¹ no other way of saving their lands from being plundered or invaded, made them over to the church; but still retaining them in their own hands, and only paying a small acknowledgement. The church indeed received from these estates, thus converted into fiefs, nothing during the possessor's life, besides a quit rent: but when the issue male of the feudatory failed, which happened very frequently in those times, when continual wars and expeditions to the *Holy Land*, extinguished an infinite number of families, the church came to enjoy the full possession of such estates. This experience of the benefits they derived from excommunication, made the bishops extremely fond of denouncing that censure: and upon the expulsion of *Laurence's* agents, who had taken possession of the church of *Eynesford*, by *William* lord of the manor, claiming the advowson as annexed to it ², he immediately excommunicated *William* notwithstanding he held lands under the crown, and had the privileges of the king's military tenants. When the *Conqueror* first introduced the papal authority into *England*, there ³ was a law made, with an express design to prevent the encroachments of the ecclesiastical power on the civil, that such tenants of the crown should not be excommunicated without the consent or knowledge of the king; who would, by the consequences of that censure, lose the service of his vassal. *Henry*, incensed at the violation of this law, wrote at first to the archbishop to absolve *William*: but upon his refusal to do so, and denying the validity of the king's orders, issued agreeably to the constitution and for enforcing obedience to the laws of the land, thus adding to the former a fresh insult on the royal authority, he treated with him afterwards, and renewed his orders, only by messengers. It was with the worst grace in nature, that *Becket* complied at last, and absolved *William*, either to avoid the penalties of a law, necessary for supporting the authority of the crown, the breach whereof was deemed treasonable, and punished with the confiscation of all the offender's estate, or else to pacify the king. But it was not consistent with *Becket's* declared principles in the point of the liberties of the church, or with his views and designs of arrogating to himself an absolute power, uncontrouled by the laws of the land, in ecclesiastical affairs, to keep long well with his prince: and an open quarrel soon broke out between them on the occasion now to be related.

THE evils of an usurpation are not to be removed or corrected intirely, but in a length of time: *Henry* was as yet to struggle with various disorders and corruptions introduced under *Stephen's* government; during which, as the laws of the land were silent, so the canons of the church had been utterly neglected. The fourth general council held at *Chalcedon* had provided, that no person should be ad-

¹ See *Giamone's Hist. of Naples*, l. x.

² See *Liber Niger Saccar.* p. 54. That *William* was the rightful patron, appears from his donation of the advowson to the convent of *Christ-Church*, and archbishop *Richard*, (*Becket's* immed-

iate successor) his publick acknowledgment of the convent's right to it, in virtue of that grant. *Gervaf. Acta Pontif. Cantuar.* col. 1675.

³ *Eadmer*, p. 4. *Dicte*, col. 536.

mitted to holy orders without a title or cure wherein to exercise his ministry; several *English* councils had made the same regulation; but in the late times of confusion, abundance of persons, to save themselves from ill treatment, by the protection of the church and the sacredness of their character¹, had got themselves ordained, without being titled to any churches. The bishops ordaining all that presented themselves, without distinction, an infinite number of people had got into orders; generally illiterate; idle, as having nothing to do in the way of their profession: poor, by being disabled from getting a livelihood in any other; and, thus exposed to all the temptations arising from want and idleness, apt to fall into the meanest actions and most scandalous enormities. Hence had ensued an ocean of disorders; there being no kind of hank upon any of these clergymen: who were not afraid either of losing their livings, because they had none; or of being punished, since they were protected by the privileges of ecclesiasticks; or even of the bishop's prison, because having no charge in his diocese, they could easily run away out of his jurisdiction. The canons likewise condemned pluralities; yet no less than seven churches or prebends were frequently given to a little clergyman, through the fault of the prelates, who thus disposed of them in favour of their own relations, which had occasioned a vast number of suits, about the presentations to churches, and the rights of incumbents. The bishops too, more intent upon their own profit, than the amendment of a sinner, had introduced a practice of commuting for penance: and had taken great sums of money for excusing people of scandalous crimes; a practice that clashed directly with the canons, and tended to undermine the ecclesiastical discipline. The king had complained of these disorders before the death of archbishop *Theobald*; but the bishops, being more zealous to maintain the privileges of the clergy, than to correct their vices, and making it a rule in their sentences to give no satisfaction to the crown for the breach of the laws by clergymen, no redress had followed²: and offenders were become so emboldened by impunity, that, confiding in their privileges, they openly insulted the civil judges, and treated them with abusive language. Rapine, robberies, and murders were daily committed by the persons above described; thinking themselves secure from the penalties of the law by their pretended exemption from the civil courts, and slighting the censures of the ecclesiastical, that could inflict no punishment adequate to their crimes, and yet would not deliver the offenders to the king's justices.

A CLERK in *Worcestershire* having debauched a gentleman's daughter, and afterwards killed her father, the king insisted that he should be tried in his secular court for these iniquities: but *Becket* would not allow it; and, to prevent his being brought before it, ordered him to be kept in the bishop's prison. *Henry* used the like instances for the trial of another who had stolen a silver chalice out of a church in *London*, called *S. Maries in the Market*: the archbishop refused, and caused him to be tried in the *Court Christian*, where he was sentenced to be degraded, and branded in the face with an hot iron. Sacrilege was of all others the crime, against which the Popes, prelates, and clergy of those days most vehemently exclaimed: their own property was nearly affected by it, and they thought fit to distinguish the heinousness thereof by the extraordinary severity of its punishment. To this aversion of theirs to that particular crime, the latter part of the sentence here mentioned may reasonably be imputed, rather than to any desire of gratifying the king; as the advocates for *Becket* represent the matter. The ecclesiastical court had no right to inflict a civil penalty, any farther than they were empowered by the civil magistrate; they had no power by law to order a corporal punishment: to assume such a power, was

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an invasion of the royal authority, and a crime of the nature of high treason. It was such an insult upon the king's crown and dignity, and a precedent so dangerous in its consequences to the whole constitution of the kingdom, that it is the greatest absurdity in nature to suppose, he could be pleased with it; however necessary it might be for those writers to advance such a plea for excusing their hero's conduct. They were certainly very injudicious in advancing it, when the act, or exercise of usurped authority, for which they would fain apologize, was of such a nature, as to justify the suggestions, which they complain of being made by the court clergy to the king: "that if the archbishop went on in arrogating to himself such powers, his royal dignity would be soon destroyed; and if he did not provide in time for himself and his heirs, the clergy would be absolute masters of the realm, and none would be king, but whom they thought fit to choose, nor be suffered to reign any longer than the archbishop pleased."

THE king was too wise not to see, that his own authority was struck at, and that there would soon be an end of the royalty, if the church was suffered to go on in usurping such powers. His zeal too for justice, with his desire to preserve the lives of his subjects, above an hundred whereof² had been lately murdered by those lawless clerks, and to restore good order in his realm, urging him to have these disorders corrected, he resolved to do it without loss of time, and to put an immediate stop to the archbishop's measures. With this view he called all the bishops³ together at *Westminster*: and complaining of the archdeacon's violence in extorting money from innocent⁴ persons in some cases, and of their corruption in others, by making a gain of people's sins, and letting the guilty escape unpunished, in any other manner than by the payment of commutation money, raising thus greater sums yearly upon the people than the king himself received, proposed, that one of his officers of justice should be always present, when any infamous offender was to be tried before the archdeacons. Then turning his discourse to the robberies and murders so frequently committed by the irregular clergy, he desired them to consent, that such as were either taken in any great crime of that nature, or convicted by proof or confession of their guilt, should be immediately degraded, and then delivered to his court in order to a corporal punishment; and that one of his officers might be present at their degradation, to take them into custody, for fear they should fly from justice. The archbishop, taking the bishops aside, consulted with them on this occasion: and found them of opinion, that by the civil laws, clerks were to be degraded and delivered to the secular court, to be corporally punished; which they shewed to be reasonable, and proved as well by the laws of the land, as by examples drawn from the *Old Testament*. These were arguments that did not weigh with *Becket*; he minded neither reason, law, nor scripture: but intrenching himself in the papal decrees and canons, maintained it to be a breach of these and of the law of God, for a man to undergo two judgments for one offence; as if it was more unlawful for the same criminal action to be punished in two sentences, in the one by the ecclesiastical court with an ecclesiastical censure as giving scandal to the church, in the other by the civil magistrate with a corporal pain as an offence against the state; than for those two different punishments to be inflicted for the same crime by an ecclesiastical judge only, when denounced in the same sentence, a practice which he had approved in the abovementioned case of sacrilege. It is not easy to discover any such material difference between a *double penalty* and a *double judgment*, as to render the one perfectly innocent, and the other utterly unlawful: yet the first is every day inflicted in all courts as well ecclesiastical as

¹ *Vita S. Thomæ*, p. 27.
col. 1384.

² *W. Neubrig*. l. ii. c. 16.

³ *Vita S. Tho.* p. 28, 29. *Chr. Gervaf.*

⁴ *Vita S. Thomæ a Stephan.* p. 32.

civil; and though deprivation and excommunication are different punishments, HENRY II. A. D. 1163. yet they were both denounced against clergymen in some cases by the apostolical canons¹.

THE bishops pressed him to comply for the good of the church and their common safety: but he, exhorting them to die in defence of the canons, which forbade them to be concerned in sentences of blood, persisted in his resolution not to give up any criminal ecclesiastick to the secular arm, and thereby expose him to the capital punishment he had merited. The king, informed of what had passed, thought fit to change his battery: and asking the bishops, if they would observe the customs of the crown and laws of the kingdom in all points, the archbishop with the rest, answered² that they would, *saving their order in all things and in all cases*. Henry, suspecting this *salvo* to be designed for an evasion or pretence to recede, whenever they pleased, from their promise, insisted that it should be couched in absolute terms, and that they should engage simply, without any qualification or reserve, to observe the customs: and the bishops not complying in this point, he went away in the evening, full of resentment; one effect whereof appeared on the morrow.

WEAK minds and ignorant persons may be troubled with unreasonable and ridiculous scruples, without giving any occasion to suspect their sincerity: but when a man of parts and knowledge, in all the vigour of his health and reason, pretends to a greater tenderness of conscience than the rest of mankind, and is unequal, or rather inconsistent, in his conduct, in the very point wherein he pretends to such an extraordinary tenderness, there can surely be little reason to doubt either of his hypocrisy, or his evil designs. When *Becket*, pretending he could not serve two masters, God and the king together, had, out of the wonderful delicacy of his conscience, upon being made archbishop, thrown up the post of chancellor (which had been usually filled with clergymen, and ever deemed not improper for men of that order) in such haste, that he would not stay for the king's return from abroad, he still³ kept in his hands several honours and fortresses; the guard whereof had been committed to him whilst he was chancellor and in high favour with his master. The same conscience, which was too nice to suffer him to hold one *civil* post, that enabled him to do a great deal of good in the world, allowed him, as it seems, to hold a number of *military* charges, which gave him power in the kingdom, and endangered its peace, whilst in the hands of a disaffected and turbulent person. He had hitherto retained the custody of these honours and castles: but *Henry* (who had no reason before to be pleased either with his affectation of popularity by the open table he kept, and the vast presents he made, whilst chancellor⁴, or with his courting the nobility, not only then, but since he was made archbishop, by having their sons and relations in his family; or with his bestowing church preferments on unworthy and scandalous persons, without any apparent motive, but for their being devoted to his interest) now seeing plainly his design to advance the ecclesiastical power, of which he had the direction, upon the ruins of that of the crown, and knowing him, by the pride, obstinacy, and violence of his nature, capable of embarking in any measures to gain his ends, thought it high time to take them out of his hands, and get them into his own possession. The king⁵ accordingly demanded them: and the castles being delivered, went away suddenly from *London*, full of resentment, without taking any notice of the bishops.

¹ Canon. Apost. 22. } Sec Canon. { 23.
30. } { 31.

² Chron. Gervaf. col. 1385.

³ Ib. & Vit. præfix. Epist. S. Thomæ, p. 35.

⁴ Epist. S. Thomæ, l. i. ep. 53.

⁵ Chron.

Gervaf. ib.

HENRY II.

A. D. 1163.

Dispute about
the constitu-
tions of Cla-
rendon.

VIII. THIS abrupt departure alarming the prelates, they pressed the archbishop to give his consent to the customs in question, and his promise for observing them, unrestrained by any condition: but he was not to be moved till the count of *Vendosme*, *Robert de Melun* (his domestick chaplain, archdeacon of *Oxford*, and soon after, on *December 22*, consecrated by him bishop of *Hereford*) and *Philip*, abbot of *Elkemosna*, talked with him on the subject. The last of these was sent over by the Pope and cardinals; whom the king had, by the bishop of *Lisieux* (who had taken great pains, and made several voyages in the short space of three months, that this negotiation lasted) solicited to approve the ancient customs of his realm; protesting in the most solemn manner, that he meant no harm to the church, and only desired it for the sake of his own honour and reputation¹. The abbot had the character of legate *à latere*: and his commission being to make up the difference on foot, he brought instructions to the archbishop to accommodate matters with the king, and to promise an observance of the laws of the kingdom, without clogging his engagement with any *salvo* or exception. *Becket* hereupon² complied: and waiting upon the king at *Woodestoke* or *Oxford*, promised to keep his laws upon the faith of an honest man, and without any prevarication whatever. It was thought proper that this promise, with those of the bishops, should be declared in the most solemn manner: and for that purpose a great council of the prelates and nobility of *England* was called to meet, on *January 25*, at *Clarendon*.

A. D. 1164.

THE king had always been jealous of his prerogative, and careful to maintain it against the encroachments of the papacy: nor had *Becket* given him any reason to imagine he had different sentiments on that subject, till after his promotion to *Canterbury*; as appears by what passed in the suits about the exemptions of the abbey of *Battel* from the bishop of *Chichester's*, and of that of *St. Alban* from the bishop of *Lincoln's* jurisdiction. ³ At the hearing of the first cause, in a great assembly of the prelates and nobility of *England*; when *Hilary* bishop of *Chichester*, in order to invalidate *William the Conqueror's* charter of exemption to the abbey, was exalting the papal authority, and affirmed that no layman, not even the king himself, could give any ecclesiastical dignities or privileges to a church without the Pope's allowance and confirmation; *Henry*, in great wrath, interrupted his harangue, and told him, "that the Pope owed his power to the grant of men, but the royal authority was derived from God; that it was not agreeable to the prelate's sworn allegiance to derogate from his royal dignity; and he should apply to the great council there assembled for doing him justice on a man, who had thus attacked the ancient liberties of the crown, and was endeavouring to deprive him of the royal dignities, which his ancestors had enjoyed in their times, and had transmitted to him by hereditary right." The whole audience assented to what the king said, and was moved with indignation against *Hilary*; chancellor *Becket* reproved him for his presumption: and the bishop, seeing himself condemned by all, humbly begged pardon for his assertion; protesting, that he did not intend any prejudice to the king's prerogative. In the other suit, *Robert* bishop of *Lincoln* had got a bull from Pope *Alexander*⁴, empowering the bishops of *Chichester* and *Norwich* to hear the cause, and directing them to send the depositions and proofs to *Rome*, in order to his determination. *Henry* resolved to hear the cause himself: and was highly incensed as well at this bull, as at another of Pope *Celestine's* read at the hearing, confirming the exemption of *St. Alban's*, and reserving to himself and successors an ounce of gold yearly, by way of acknowledgment; considering it as a

¹ *Diset.* col. 536. *Hoveden.*
p. 431.

² *Matth. Paris.* *Vit. Abb. S. Alban.* p. 77, 79.

³ *Vita S. Thomæ præfix. Epist.* p. 37.

⁴ *Council. M. Brit.* v. i.

strange insolence in the Pope, to make one of his churches tributary to the see of HENRY II.
Rome without his consent, and as a great derogation to his royal dignity. The A. D. 1164.
 abbot of *S. Alban's* had been cited to appear before the papal delegates, as well as
 before the king, in *S. Catherine's* chappel at *Westminster*: and when he began to
 plead the cause of the abbey before his majesty, he moved, that if he proved the
 privileges of his church before him, and had a sentence of the court in his favour,
 he might not be obliged to prove them again before those delegates. The king
 thought the request reasonable, and turning to the chancellor, said, "it would be
 "an intolerable affront to his royal dignity, if a cause determined in his court,
 "should be tried over again in the Pope's consistory." *Becket* assented; and the
 court decreeing accordingly, proceeded to hear the cause. Such were the senti-
 ments or conduct of *Becket*, whilst he was chancellor: and the king had reason to
 be surprized, when he found him adopt very different ones, upon his getting pos-
 session of the see of *Canterbury*.

HENRY thought himself sure of the archbishop after his solemn promise: but
 he found on this occasion, that there is no depending on a man, who can vary his
 principles with his posts, and suit them to his views or interests. When the pre-
 lates and nobility met at *Clarendon*, *Becket* flew off from his promise: and all the
 remonstrances, as well of *Robert* earl of *Leicester*, one of the chief justiciaries,
 and *Reginald* earl of *Cornwall*, the king's uncle, both very wise men, and of the
 greatest power and credit in the nation, as of *Richard de Hastings*, grand prior of
 the *templars* in *England*, and of some bishops, with the dread of the king's resent-
 ment, and the apprehension of being prosecuted for attacking his crown and dig-
 nity, were scarce sufficient to persuade him to a second compliance. He came
 however at last into the royal presence: and engaged upon oath¹, and "on the
 "word of a priest, faithfully to observe the laws of the kingdom, and the royal
 "customs used in the time of the king's grandfather, without any prevarication
 "whatever;" all the bishops swearing, after his example, in the same form, and to
 the same effect. These ancient royal customs had not yet been committed to writ-
 ing, being known only by common practice and usage immemorial: and it was
 thought proper to specify some of them, to prevent any future dispute on the sub-
 ject. A committee of the most ancient and knowing persons among the prelates
 and nobility was appointed to draw them up in writing: and this being done in
 sixteen articles, they were read in the great council, approved, and ordered to be
 observed throughout the kingdom. These articles, commonly called *The consti-
 tutions of Clarendon*,² were all expressly recognized as the rights of the crown by
 both the archbishops and twelve bishops, who all swore to observe them in the same
 terms as before: and, on *January 30*, in the presence of a great number of the
 nobility, whose names are recited, put their seals to the instrument; of which there
 were three indented copies made; one lodged among the records of the crown,
 and the others delivered to the two archbishops.

THESE constitutions provide that,

- I. ALL suits about the presentation and advowson of churches, between either
 laity or clergy, shall be tried and determined in the king's court.
- II. CHURCHES of the king's see cannot be given away in perpetuity, without his
 consent.
- III. CLERGYMEN, accused of any crime whatever, and summoned by the king's
 justices, shall appear in the king's court, and plead to such articles as the court
 shall require, and in the ecclesiastical court to such as are cognizable therein;

¹ *M. Paris. ann. 1164. Chron. Gervaf. col. 1391. Hoveden. Stephan. Vit. S. Thomæ, p. 35.*
Vit. S. Thomæ præfix. Ep. p. 39. ² *Epist. S. Thomæ, l. i. ep. 12.*

provided the king's justices send an officer to inspect the proceedings of the ecclesiastical court; and in case a clerk is convicted, or pleads guilty, he is to lose his privilege, and be protected by the church no longer.

IV. No archbishops, bishops, or parsons may go out of the realm without the king's license: and if they have leave, they shall give security, not to ask or attempt any thing, either in their passage, stay, or return, to the prejudice of the king or kingdom.

V. EXCOMMUNICATED persons shall not be obliged to make oath or give security to continue upon the place where they live; but only to stand to the judgment of the church, in order to their absolution.

VI. LAICKS ought not to be accused in the ecclesiastical court, but by legal and reputable promoters and witnesses, and in the presence of the bishop; yet so as the archdeacon lose not his right, or any of his dues; and if the offenders be such, that no body either will or dare accuse them, the sheriff, at the bishop's instance, shall cause twelve legal men of the town or vicinage to make oath before the bishop, that they will declare the truth of the matter, according to the best of their knowledge.

VII. NONE, either of the king's tenants in *capite*, or of his ministerial officers, may be excommunicated, nor any of their lands put under an interdict, unless application be first made to the king, if he be in *England*, or (in case he be out of the realm) to his justiciary, that he may see justice done in their case; so that, what is cognizable in the king's court, may be there determined, and what belongs to the ecclesiastical may be remitted thither.

VIII. If appeals arise in ecclesiastical causes, they are to be made from the archdeacon to the bishop, from the bishop to the archbishop: in failure of justice from the archbishop, recourse must be had at last to the king; that by his precept the suit may be determined in the archbishop's court; nor shall it be lawful to proceed further without the king's consent.

IX. If a suit arise between a clergyman and a laick about a tenement, which the first pretends to be held by *frank-almoine*, and the latter maintains to be a lay-fee, the tenure shall be tried before the king's justiciary, by the verdict of twelve legal men summoned, according to the custom of the court, by the order of the king's chief justice; and if the tenement is found to be held in *frank-almoine*, the suit shall be tried in the ecclesiastical court; but if the verdict brings it in a lay-fee, the suit shall be carried on in the king's court, unless they both hold of the same lord either spiritual or temporal, in which case it shall be tried in his court; provided, however, that the person seized of the tenement in question shall not, on account of such verdict, be disseized, till the suit is determined.

X. If any inhabitant of a city, castle, burrough, or demesne-manor of the king, be cited by the archdeacon or bishop to answer for any misdemeanor belonging to their cognizance, and declines obeying their citation, they may interdict him from divine service; but he ought not to be excommunicated, before the king's principal officer of the place be acquainted therewith, that he may oblige the person to make satisfaction to the church: and if such officer fail in doing so, he shall be finable at the king's pleasure; and the bishop may then exert his ecclesiastical authority upon the accused person.

XI. ALL archbishops, bishops, and other clergymen possessed of ecclesiastical dignities or benefices, who hold of the king in *capite*, shall hold their possessions of the king as a barony, and shall appear before the king's justices and ministers to answer the duties of their tenure; and shall observe and perform all the royal customs, rights, and services: and, like other barons, are bound to sit as judges

in the king's court with the barons, till sentence comes to be pronounced for HENRY II.
the loss of life or limbs.

A. D. 1164.

XII. WHEN any archbishoprick, bishoprick, abbey, or priory of royal foundation or patronage, becomes vacant, the king shall enter upon it, and receive all the issues and profits thereof, as of his own demesne lands: and when he shall think fit to provide for such church, he shall send for the most considerable persons of the chapter or convent, and the election is to be made in the chappel royal with the king's consent, and by the advice of such dignitaries of the realm, as the king shall call together for that purpose; and the person elected shall there, before his consecration, do homage and fealty to the king, as his liege-lord, of life, limb, and terrene honour, *saving his order*.

XIII. If any of the chief nobility of the realm shall oppose the archbishop, bishop, or archdeacon, in doing justice on themselves or their tenants, the king shall take cognizance of the matter, and oblige him to submit to justice: and if any one shall deny the king his rights, and decline standing to the judgment of his court, the archbishops, bishops, and archdeacons shall employ their authority and censures to oblige him to make the king satisfaction.

XIV. THE goods and chattels of such as have forfeited to the king, may not be detained in any church or church-yard, to secure them against being seized according to law; because they belong to the king wherever they are found, whether within the precincts of a church or without.

XV. ALL actions and suits for debts, due either upon oath or solemn promise, or contracted otherwise¹, shall be tried in the king's court.

XVI. THE sons of villains or copyholders ought not to be ordained without the consent of the lord of the manor, where they are known to be born.

THESE articles were, by the committee appointed on the occasion above-related, selected out of the ancient customs of the realm, and drawn up in writing; as being more particularly necessary to be observed, in order to remedy some of the grievances of the time, and to guard against the encroachments, which the papal and ecclesiastical powers were daily making upon the civil authority. The points which the partisans of the archbishop exclaimed most against,² were those that required actions for debts upon promises to be tried in the civil courts; that exempted the king's officers and tenants in *capite*, from being excommunicated without the king's being previously acquainted; that settled the order of appeals, and prevented the carrying of any to *Rome*, till after four or five different hearings of a cause before the rural dean, archdeacon, bishop, archbishop, and either in the king's court, or a court of delegates by his direction, and did not even then allow them without his majesty's license; that did not permit ecclesiasticks, without such a license, to go out of the realm, though summoned by the Pope, and interested in the prosecution, or answering of an appeal; that obliged clerks, when accused of theft, rapine, and murder, to answer first in the king's court; and bishops to sit in secular judicatures. When these constitutions came to be laid before the Pope, he expressed an indignation against them all; though he did not think fit to censure them equally: there were only³ six that he would condescend to tolerate, but he absolutely condemned all the rest, as contrary to papal decrees and ecclesiastical canons. The archbishop,

¹ This constitution did not hinder the ecclesiastical courts from trying causes for debts on marriage contracts, or for dower, or any thing which was to be done in the face of the church, as *Fitz Stephen* interprets it in *Vita S. Thomæ*, p. 34, but only promissory debts in ordinary cases; which the court of *Rome*, pretending to be the sovereign

judge in all cases of the breach of faith or oaths, was for confining wholly to the ecclesiastical judicature. *Epist. S. Thomæ*, l. i. Ep. 42.

² *Fitz Stephens, Vita S. Thomæ*, p. 33, 34.

³ These six were the 2d, 6th, 11th, 13th, 14th, and 16th Articles.

HENRY II. as soon as he got away from *Clarendon*, repented¹ of what he had done, exclaimed against them, and laboured to draw all the other bishops into measures for opposing their execution: he put himself under penance for forty days, abstaining all that time from the altar, till he had applied to the Pope, then at *Sens*, and received his absolution. *Alexander* dispatched *Rotrou*, archbishop of *Roüen*, translated lately to that see from *Evreux*, to make up the breach between the king and *Becket*: but *Henry*, determined to support the rights of his crown, would hearken to no accommodation, unless the Pope would, by a bull, confirm the constitutions of *Clarendon*. This condition being rejected, the king sent *John* of *Oxford* and *Geffrey Ridel* to sollicite *Alexander* for a grant of the legation of *England*, either to himself, or to *Roger* archbishop of *York*, who was already legate of *Scotland*: and the Pope, not caring either flatly to refuse the king, or to put it in his power to distress *Becket*, granted the legation to his majesty; but with a clause, which, restraining him from doing any thing to the prejudice of the archbishop of *Canterbury*², rendered it of no use to the king, who sent it back with no little indignation. *Henry's* request may perhaps appear extraordinary to such, as are not acquainted with the maxims of the canon law, and the practice of the court of *Rome*; which allow the Pope to vest a power of ecclesiastical jurisdiction in lay-persons, and even in women. But it was not without a precedent; since *Urban II* had, in *July A. D. 1098*, published a bull³, creating *Roger* count (afterwards king) of *Sicily*, and his lawful heirs and successors, legates of the see of *Rome* in that island; with powers to exercise all the authority of a legate: and this privilege hath been ever since enjoyed by the kings of *Sicily*.

Articles
against *Becket*
at the council
of *Northampton*.

IX. BECKET, despairing of the king's favour, or afraid of a legal prosecution for his opposition to the laws, endeavoured to fly beyond sea, and embarking privately on board⁴ a ship at *Rumney*, made two essays to get over: but was hindered either by contrary winds, or by the pretences of the seamen, who were afraid of carrying him over without the king's license. *Henry*, apprehensive of his retiring abroad, thought it high time to commence the prosecution proposed against him, on occasion of an appeal brought by *John Mareſchal*: whose name seems to have been taken from his office, which his descendants enjoyed afterwards by the title of earls, mareſchal of *England*. This nobleman had sued in the archbishop's court for an estate at *Mundebam*, said to be parcel of the manor of *Pageham*, belonging to the see of *Canterbury*: and excepting to the proceedings in the cause, had come into the court, and swore (as *Becket's* advocates⁵ pretend) not upon the gospels, but on a *tropar*⁶ (or book of hymns sung in church before the introit of the communion service) that he had not justice done him, and appealed to the king's court, bringing with him a writ, evoking the cause thither. It was well known, that though this was a civil cause, yet the archbishop's avowed principles would not allow him to appear in the king's court, and that he must of consequence incur the penalties of a contempt: he was accordingly summoned, but did not come in person, on *September 14*, the day appointed for his attendance; contenting himself with sending four of his knights, with a letter from himself, to excuse his absence on account of sickness, and a certificate from the sheriff of *Kent*, asserting the defects of *John's* title and appeal. His excuses being rejected, as trifling, insufficient, and mere pretences without any foundation; and his messengers

¹ *Vita S. Thomæ, præfix. Epist.* p. 167. *Chron. Gerwaf.* col. 1388. *Epist. S. Thomæ*, l. i. ep. 26.

² *Epist. S. Thomæ*, l. i. Ep. 2. ³ *Baron. Annal.* t. xi. p. 883.

⁴ *Fitz Stephens, Vit. S. Thomæ*, p. 35. ⁵ *Ib.* p. 36. ⁶ It was usual to put

some passage of the Gospels at the head of such books used in divine service: and I have seen in old Manuscripts, the beginning of the Gospel of *St. John* so placed, on purpose for people to swear on.

being

being taken into custody for offering falsehoods to the court, he was cited to the great council (which met on *Tuesday, October 6, at Northampton*) not by a letter from the king, as usual; but by a writ to the sheriff of the county, with orders to summon him; the method perhaps taken in citing litigants and criminals, whose causes were to be there adjudged. *John* was then at *London*, attending the king's business in the court of exchequer, where pleas of the crown were held, as well as accompts of the revenue settled: but as he was expected immediately, the trial was deferred for two or three days, till his arrival. The next day, all the bishops¹, except two, being present on this occasion, with all the earls and barons of *England*, besides several of *Normandie*, the cause came to an hearing in the great council: and the archbishop being found guilty of a contempt of the royal authority, and of a breach of his allegiance, for not appearing in person according to the citation, nor making a sufficient excuse of absence, was adjudged to have forfeited all his goods and chattels. He did not fail to insist on the fair proceedings of his court, and the injustice of *John's* pretensions: but because he had not alledged any bodily infirmity, or any necessary act of his ecclesiastical office, which could not be deferred, non-appearance was deemed an heinous breach of the terrene honour he had sworn to the king in his oath of fealty, and the sentence was published accordingly. There was some debate, who should be the mouth of the court on this occasion², the bishops not thinking it proper for any of their character; since in their ecclesiastical capacity they were subject to him as their archbishop, and it was better for the barons to be so in a secular court, as that was wherein they sat, rather as barons than bishops: but the bishops and barons being peers alike, and equally concerned in the sentence, it was at last resolved, that it should be pronounced by the bishop of *Winchester*. There is no contradicting a sentence or record of the king of *England's* court: and it being the custom to give security to stand to the judgment there given, the archbishop submitted to it by the advice of the bishops, who all agreed to be his bail; except *Gilbert* bishop of *London*, who was marked out by that singularity.

THERE were other matters³, for which he was called to an account, particularly for three hundred pounds he had received of the honours of *Eye* and *Berckhamsted*. *Becket* would fain have waved answering this charge, because he was not cited to the council on that account; and pretended he had laid out more than that sum in the repairs of those castles, and of the royal palace at *London*: but the king not allowing the fact, and demanding judgment, the archbishop⁴ agreed to make good the money; and gave security for the payment. On the day following, he was prosecuted for five hundred marks, lent him by the king in the expedition of *Toulouse*; and for another sum of the same value, in which his majesty stood bound for him to a *Jew* of that country. He was likewise required to give an accompt of his receipts of the profits, as well of the archbishoprick during its late vacancy, as of all the bishopricks and abbeys that had fallen vacant, and been entrusted to his custody for several years, whilst he was chancellor: and upon his replying as before, that he had not been cited for that purpose, and did not come prepared, but would, in time and place, give satisfaction on that head, the king insisted, that he should, in the mean time, find security to answer the demand. This was not an easy matter for the archbishop to do; no body caring to be his surety for an uncertain sum⁵, and so immense an accompt, he being charged with no less than two hundred and thirty thousand marks, and all the world knowing the unparalleled profuseness, and the infinite expences he had run into, whilst he enjoyed that office;

¹ *Cl. on. Gervas.* col. 1389. ² *Fitz Steph.* p. 37. ³ See *Diceto*, col. 537. ⁴ *Fitz Steph.* p. 38.

⁵ *P. S. Tho. prefix. Epist.* p. 48.

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A. D. 1164.

so that to gain time, he found it necessary to desire leave, first to consult his suffragans and clergy; which the king granted. There was accordingly a great meeting of the clergy at his house the next day: and having talked with the bishops and abbots, with each of these severally and apart, he approved the bishop of *Winchester's* advice; who engaged to supply him largely, if he could make a composition with the king for a sum of money. Two thousand marks were offered, but refused: and this rendering it necessary to come to some other resolution, the prelates were again consulted, and much divided in their opinions. Some were for his intrenching himself in the ecclesiastical privileges; and to furnish him with a pretence for giving no accompt, advanced a very extraordinary notion, that as a vacant abbey, electing a monk from another monastery to be their abbot, would not receive him till he was freed from all obedience to his former abbot; so his accepting of the see of *Canterbury* (no accompt being demanded of him at that time) discharged him from all the civil actions that the king had against him, and from all the debts he owed as chancellor. Others were for his resigning the archbishoprick, and submitting himself entirely to the king's mercy, lest he should be seized as the king's chancellor and accomptant, for want of sureties, and as being guilty of embezzling his majesty's treasure²; no ecclesiastical privilege extending so far as to exempt the clergy from being called to an accompt, and punished by the royal judges for any misdemeanors in the exercise of their civil offices.

Most of the prelates were of this last opinion, advising him to comply; which was certainly the honestest, if not the most reasonable, party he could take: but the first, flattering the pride of his heart, was more agreeable to a man, whose temper would not suffer him to stoop to a submission; though if he was not able to pay the money he had misapplied or embezzled, it was all the satisfaction he could make to the person he had injured. Whoever reflects on the prodigious figure that *Becket* made whilst he was chancellor, and that neither his private fortune, nor the preferments which he had before (the most considerable whereof was the archdeaconry of *Canterbury*) nor even the emoluments of the former of these dignities, could enable him to bear the hundredth part of his monstrous expence, and more than royal luxury, whilst he filled it, cannot but conclude without the least hesitation, that *Becket* was vastly indebted to the king, and must have diverted to his own use a large share of the crown revenue in his receipt. It would appear a very strange thing in this age, for an archbishop of *Canterbury* to plead the privileges of his church or order, in bar of the payment of his just debts; there is neither justice nor decency in such a plea: and yet *Becket* was not ashamed of making it, under pretence, that he was acquitted of his debt (and he was certainly in no other way acquitted than) by his promotion to the see of *Canterbury*; it not being just, that the revenues of that church should be applied to pay the debts of a chancellor. This is what the Pope and others of his correspondents, during his exile, chiefly insist on, to justify his not giving the king an accompt of the profits of that branch of the revenue, which was entrusted to his management: and it must be owned to be of a piece with some of the other pretended ecclesiastical liberties, in the defence whereof *Becket* gloried to be a sufferer.

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harsh

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harsh for a single non-appearance, and a bad precedent for the bishops and barons themselves; and which probably would not have been inflicted upon him, if his open declarations to all the world against the constitutions of *Clarendon*, particularly the third, requiring, “the clergy, when summoned by the justiciary, to appear in “the kings’ court, and answer to the charge against them,” had not caused his absence to be deemed the effect of a formed resolution, and rendered his contumacy a matter of publick notoriety. The bishops added, that the archbishop had likewise notified to them, that he had appealed to the Pope against this sentence, and in consequence thereof discharged them, by the papal authority, from taking upon them for the future to judge him, for any secular accusation brought against him, on account of any matter previous to his being made archbishop.

APPEALS to the Pope, even in ecclesiastical causes, were as yet forbidden by the laws of *England*: but an appeal to him in a civil cause, was striking directly at the monarchy itself. It was subjecting the kingdom to a foreign judicature in temporals, and such a daring attempt upon the king’s crown and dignity, as in the nature of the thing, as well as in the eye of the law, merited the punishment of high treason. The king, not a little provoked by this fresh insult on his authority, sent his earls and many of the barons to *Becket*, to know whether he had made the appeal, and given the prohibition above related: “since he was his liege man, and “bound to him as well by the common oath of fealty, as by the special oath he “had taken at *Clarendon*, to maintain, faithfully, sincerely, according to law and “without any prevarication, his royal dignities; one of which obliged the bishops to “assist at all trials and judgments in his court, except at sentences of blood; and “whether he would give security to stand to the judgment of the king’s court in “the account of his chancellorship.” The archbishop in his answer owned his liege homage, fealty, and oath to the king, but said “that a sacerdotal oath was to be “understood with a *salvo* to the obedience of God, his ecclesiastical dignity, and “the episcopal honour of his person; that he was cited only for the cause of the “Mareschal; and having besides spending his own income, contracted debts in “the king’s service, he was under no obligation to give account of his secular “charge, being dismissed from it freely before his consecration and possession of the “church of *Canterbury*; that he had no pledges to offer in the case of giving up “his accounts; and then avowing the appeal and prohibition to the bishops, declared again, that he appealed and put his own person and the church of *Canterbury* under the Pope’s protection.” This answer was received by some of the noblemen with amazement, and by others with such indignation, that talking aloud with one another as they returned, they took notice of the methods taken for humbling their clergy, as well by *William the Conqueror*, who seized his brother *Odo* bishop of *Bayeux* for a rebel, and thrust archbishop *Stigand* into a stinking dungeon, as by *Jeffrey Plantagenet*, who being master of *Normandie*, had caused the elect of *Seez*, and several of the clergy who had chose him, to be castrated; because they had either made, or accepted that election, without his assent.

THE king, upon receipt of this answer, pressed the bishops (to whose arbitration he had before offered to leave all matters, if *Becket* would have agreed to it) by their homage and fealty to advise him, jointly with the barons, to a proper sentence against the archbishop: and when they began to excuse themselves on account of the prohibition, he told them that a simple prohibition could not hold against what was done and sworn at *Clarendon*. They well knew *Becket*’s haughtiness, obstinacy, and violence; they had seen him prepared with his cross in hand to denounce his censures; and being apprehensive he would proceed to such extre-

¹ *Fitz Steph.* p. 43, 44, & seq.

² *Ep. S. Tho.* l. i. ep. 29.

mities, as either to suspend or excommunicate them, if they did not submit to the prohibition and appeal, they desired 'leave to acquiesce therein for the good of his majesty and the kingdom; proposing to attack him another way, to accuse him to the Pope, and get him deposed. The king considering the case, allowed them to consult apart by themselves: and the bishops having taken a resolution, sent to the archbishop, "complaining to him of the difficulty he had put them under by his prohibition; it directly clashing with one of the constitutions of *Clarendon*, "which required them to sit in the king's court and assist in its judgments. They "represented further, that those constitutions had been shewed them in writing, to "prevent all doubts on the subject; that he had first himself, and they afterwards "by his precept, engaged in the most solemn manner to observe them; and yet now "he was forcing them to violate that engagement; that this was a grievance they "could not bear; and though they would submit to his prohibition for that time, "they yet appealed to the Pope, for redress of the present, and to prevent his putting upon them any future, grievances." The archbishop declaring he would be present at the prosecution of the appeal, pretended "that neither he nor they "were bound by their engagements at *Clarendon*: that the words, *good faith*, without *deceit* or *evasion*, and according to law included a *salvo* for their ecclesiastical dignities, which they enjoyed by the Pope's law; that they could not with *good faith*, legally observe what was contrary to the faith they owed the church and to the laws of God; and should not scruple breaking the constitutions of *Clarendon*, especially since they had been disapproved by the Pope, whose example they ought implicitly to follow."

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THE bishops returning to the king, were excused from judging their primate, and sat apart by themselves; whilst the king required the earls and barons to give judgment on the archbishop. Some high sheriffs of counties, and barons of a second rank or dignity, far advanced in years, were also called in, and added to the others, to assist in the judgment; by which *Becket* was declared guilty of perjury and treason. The earl of *Leicester*⁴, one of the chief justiciaries of the realm, going at the head of all the earls and barons to the archbishop, told him, that the king ordered him to come and answer what was objected to him, as he had promised the day before, or else he must hear his sentence. *Becket*, rising up hastily and interrupting him, said, that "when he was elected to *Canterbury*, upon his asking, "what manner of person that promotion would make him, he was told it would "free him from all engagements to the court⁵; and therefore he would make no "answer about things from which he was freed; that he was their father, whereas "they were only barons of the king's court, lay powers, secular persons, and "should not pretend to judge their father; nor would he hear their sentence, "absolutely disowning the king's, the justiciaries, and the barons judgment, and "all other judicatures except the Pope's, by whom alone he could be judged, to "whom he appealed again in their presence, and under whose protection he would "then retire." This said, he went with the cross in his hand to the door, which had been strictly guarded all the day, but was readily opened to him; and as he passed through the castle yard to his horse, was hooted along as a perjured wretch and a traitor; reproaches which he retorted upon some persons of distinction,

Becket flies beyond sea.

¹ *Chr. Gervasi*, col. 1389. ² *Heribert in Vit. Præf. Ep. S. Thomæ*, c. 32. says, that the bishops at this time denounced *Becket* perjured for breaking his oath of fealty, and that which he had taken at *Clarendon*, and renounced all future obedience to him, as being a perjured archbishop.

³ *Secundæ dignitatis Barones*. ⁴ *Vita Præf. Epist. S. Tho.* c. 33, and 34.

⁵ *Liberum ac quietum ab omni nexu curiali*: This might possibly be the reason, why he so suddenly threw up his post of chancellor, in hopes that he should not be called to account for any thing he had done in that post; but as he had still kept the custody of castles and honours, particularly of *Ely* and *Berkhamstead*, even this shallow pretence could not excuse him from giving in his accounts.

HENRY II. whom he knew, calling them *liars, bastards, and scoundrels*, abusing earl *Hamelin* the king's natural brother in this manner, and upbraiding one *Ralf* with his cousin's being hanged for felony. This intemperate language, the effect of his violent passions, was not very suitable either to the character of an archbishop, the humility of a *Christian*, or the patient temper and spirit of a confessor. The king conducted himself with more decorum on the occasion; having the moment he heard of the opprobrious words used to the archbishop, caused proclamation to be made through the streets, that nobody should revile him, or offer any insult to him or his clergy. Thus he passed unmolested to the convent of *St. Andrew*, and sent from thence three bishops to ask a license and safe conduct for his departure: but the king deferring his answer till the next day, he was afraid of being arrested, and went off privately in the night, with only two servants. His first motions were directed northwards towards *Lincoln*: but then altering his course, travelling by night, and lying still by day, he got at last to *Sandwich*; and putting to sea in a small vessel on *Tuesday, Nov. 2*, landed the next day in a creek about a league from *Gravelines* in *Flanders*.

WHEN the archbishop's flight was known on the morrow, the eighth day of the session, the king consulted the great council about the measures proper to be taken on that occasion: and ¹ it was resolved, not to seize the revenues of the see of *Canterbury*, nor remove any of his officers. The rest of the day was spent about raising a body of foot to be sent against *Refe*, prince of *South-wales*, who had broke the late treaty: and a certain number being promised by every ecclesiastical and lay person for the king's assistance, the council was dissolved. The king, apprehensive of *Becket's* making his escape abroad, lost no time in dispatching the archbishop of *York*, with the bishops of *London, Worcester, Chichester*, and *Exeter*, two earls, two barons, and three of his chaplains, to accuse him to the *Pope*, and sollicite his being deposed. He wrote also to *Louis* king of *France*, and *Philip* count of *Flanders*, charging the archbishop with treason, and desiring them not to shew the fugitive any countenance, nor receive him within their dominions: but notwithstanding this request, *Philip*, as well as his brother *Matthew*, count of *Boulogne*, shewed him great civilities; and ² *Louis*, who both dreaded and hated the king of *England*, did the archbishop the honour of a visit at *Soissons*, assured him of his protection, and wrote to the *Pope* in his favour. *Henry* had as ill success in his application to the *Roman* pontiff, who was then at *Sens*; his ambassadors, who crossed the sea from *Dover* the same day that *Becket* sailed from *Sandwich*, not being able to prevail with him to enter into an examination of the affair, till the archbishop's arrival. It was said, that if the *Pope* had readily agreed to depose that prelate ³, they had power to offer an enlargement of the income of *Peterpence*; which being paid as yet only by copyholders, and not by all of them in *England*, the king proposed to make it a perpetual tax, to be paid by every inhabitant of the land, for every house that had a smoke in it; a regulation which would improve it a thousand pounds a year above its present value. The ambassadors finding themselves put off with delays; and being ordered not to stay above three days for an answer, desired him to send two legates into *England*, to examine the dispute between the king and the archbishop, and to determine it finally: but he would not consent to the proposal, without reserving a liberty of appeal to himself.

THEY were but a little way on their road from *Sens*, when they perceived three hundred horse of *Becket's* train going thither: and sending back *Guy* dean of *Waltham*, one of the king's chaplains, to see the manner of the archbishop's re-

¹ *Fitz Stephens*, p. 48.

² *Epist. S. Tho.* ep. 24. *Fitz Steph.* p. 49. *Chr. Gervaf.* col. 1394.

³ *Fitz Stephens*, p. 51.

ception, they found it to be very pompous, all the cardinals going out of the town on horseback to meet him, as well as very respectful and affectionate on the part of the *Pope*, who rose up to kiss and embrace him, and used many other marks of esteem and tenderness. The report, which upon their arrival at *Marlborough* on *Christmas-eve*, they made of these things, was far from being agreeable to *Henry*: and having his nobility about him, he ordered¹, on *St. Stephen's* day, all the possessions of the see of *Canterbury*, and all the churches, rents, and chattels of the clergy, that adhered to the archbishop, to be sequestered. A more severe method was taken in regard to *Becket's* relations and domesticks, whether clergymen or laics; a proclamation being issued for their banishment. Such of his relations as lived in *London*, were summoned to his palace at *Lambeth*, and sworn, not only to quit the kingdom with the first fair wind, but to go directly to the archbishop; with a view, either of afflicting him with the distress of persons so near to him, and suffering on his account, or rather of loading him with the burden of their maintenance², that he might the sooner spend the great wealth, which he was thought to have amassed out of the custody of the crown lands whilst he was chancellor, and be reduced at last by poverty to a submission.

HENRY II.
A. D. 1164.

THESE measures did not produce the effect expected: most of the archbishop's relations, being absolved³ from their oath by the *Pope*, staid in *Flanders*; such especially, as by their sex, or infirmities, could not go to him without danger of their health; the rest were dispersed and provided for in different provinces and churches. The archbishop, finding himself in too high favour at the court of *Rome*, to fear any inconvenience from the proposal of a resignation, confessed⁴ to the *Pope* in a private audience, that he had not been canonically elected to the see of *Canterbury*, but intruded into it by the terror of the regal power: and though neither the king's threats, nor the instances of the *English* bishops, could prevail with him to renounce his episcopal authority, yet he now freely resigned his see into the pontiff's hands; delivering him at the same time the ring which he wore upon his finger. Some of the cardinals looked upon this as a favourable opportunity of satisfying the king of *England*, by putting another person into the see of *Canterbury*, and providing for *Becket* in some other place: but others thinking his being treated in that manner after all his sufferings, and hazarding his very life, to assert the claims of the papacy, might discourage others from following his example; the *Pope* approving this latter opinion, restored him to his archbishoprick, and till he could recover possession thereof, recommended him to the abbot of *Pontigny*, to be enter-
tained in that monastery. He had scarce⁵ got thither; when considering that his predecessors had been generally monks, and imagining that he had not rightly received his pastoral care from the *Pope's* hand, unless he received from him likewise the monachal habit, he besought *Alexander* to do him that honour: and the habit was accordingly sent him, after being hallowed by the papal benediction. The *Pope* was as yet distressed in his affairs, though⁶ his rival *Octavian* had died on the *Wednesday* after the last *Easter* week, and was afraid of coming to an open rupture with the king of *England*, who had formerly done him very great and seasonable services: yet he ventured in *Becket's* favour to annul the sentence, which had been given against him in a civil cause by the bishops and barons of *England*, declaring all his goods and chattels forfeited for contumacy. The chief⁷ pretences for this act of usurped authority over a parliament of *England* were, that an inferior could not judge a superior, especially one who had, by his prelatical authority, a right to obedience; that the proceeding was contrary to the canon law; and it

A. D. 1165.

¹ *Ib.* & *Epiſt.* S. *Tho.* l. i. ep. 15.

² *Ib.* *Epiſt.* 53.

³ *Vita S. Tho.* præf. *Epiſt.* p. 82.

⁴ *Ib.* p. 79.

⁵ *Ib.* p. 81.

⁶ *Epiſt.* S. *Tho.* l. i. *Epiſt.* 2, 3, 7.

⁷ *Ib.* l. i. ep. 49. *M. Paris.*

HENRY II. clashed with the ecclesiastical usage, to subject to a forfeiture, the goods and chattels of a person who had none but those of his church; which ought not to suffer for the personal crime of its pastor.

Provisions
against
Becket's mea-
sures.

XI. HENRY knew *Becket* to be capable of proceeding to any extremity; and though *Alexander* was a man of more temper, he could not tell how far, after such an extraordinary stretch of the papal power, he might be wrought upon by the other's instances and suggestions, to take measures still more violent. He had offended both, by the orders issued in his court¹ at *Christmas*, for taking into custody all persons that should appeal to the court of *Rome*, and for leaving² the archbishop's name out of the prayers used in divine service in all churches: and thought it proper to go over in *Lent* into *Normandie*, in hopes of preventing an interdict on the realm (which he most apprehended) by a personal conference with *Alexander*. Frequent messages had passed between them, treating of an accommodation³, but without any effect; the Pope's affairs, and the invitations of his friends, recalled him to *Rome*: and that method of negotiation being too slow for adjusting all disputes, before he set out on his journey, an interview was proposed, and the time, as well as place, appointed. The king readily agreed to it: but insisting that *Becket* should not be present, this prelate, who fearing *Henry* might convince the Pope of the reasonableness of his proceedings, had come from *Pontigny* to take care of his own interests in the treaty, opposed it warmly; suggesting to *Alexander*, "that he might be imposed on by the king's fluent and plausible discourses, if himself were not present to interpret their meaning, by what he knew of the inward sentiments of his heart, and his real purposes." It was presumptuous in *Becket* to pretend to know the secrets of the king's heart; it was contrary to reason and equity, or at least no sign of a disposition towards peace, for the Pope to make the biased and uncertain conjectures of a party interested in the dispute, the rule of his judgment, and the test of the measures proposed to terminate it: nor was it very decent for him to insist on the presence of one, who had been declared a traitor by the highest judicature in his country, in a conference with the prince, whom he had so highly offended. *Alexander* however persisting in this unreasonable demand, broke off the agreement for an interview: and as soon as he had kept *Easter* at *Sens*⁴, set out thence for *Italy*, accompanied as far as *Bourges* by *Becket*; who there taking leave of him, returned to *Pontigny*.

HENRY, seeing the ascendant, which this turbulent prelate had got over the Pope, thought it necessary, even before he left *Normandie*, to provide against the worst that might happen: and he made⁵ there several constitutions, which being to be observed over all his dominions, were transmitted into *England* by *Walter de Grimesby* and *Winier*, both of them high sheriffs, though the latter was in priests orders. By some of these⁶, "all appeals either to the Pope or archbishop were absolutely forbidden; the receiving⁷ and transmitting any mandate either to or from either of them, and all suits and proceedings therein were to be punished with imprisonment; the chattels and possessions⁸ of all the Popes or the archbishops adherents, and of all belonging to them, were to be seized and confiscated: and such clergy, as having livings or estates in *England*⁹, were in foreign parts, and did not return upon the general summons published in all the counties of the realm, within three months, were to have their benefices sequestered." By others, "all persons bringing¹⁰ any letters from the Pope or archbishop, containing an interdict, were to be punished as traitors to the king and kingdom; secular clergymen by the

¹ *Ib.* ep. 15. ² *Vit. pref.* p. 82. *Chron. Triveti.* *Rob. de Monte.* ³ *Ib.* p. 84. ⁴ *Baron. Annal.* t. xii. p. 646. ⁵ *M. Paris.* *Hoveden.* *Epist. S. Tho.* l. i. ep. 14. *Vit. pref.* p. 169, 167. ⁶ C. 3. ⁷ C. 4, 5. ⁸ C. 7. ⁹ C. 8. ¹⁰ C. 1.

“ loss of their eyes, and by castration, *regulars* by amputation of their feet, laicks by hanging, and leprous persons by burning : and all bishops ¹, abbots, clergy, or laymen, that should obey such interdict, were with all their kindred to be immediately expelled the realm, and their chattels sequestered.” It was to prevent any thing of this nature, that orders were given for “ all the ports of *England* to be strictly guarded ² : and no person whatever being allowed either to pass thither without the king’s license, or to go from thence abroad without the letters of the chief justiciary, whoever attempted to break ³ this ordinance was to be imprisoned.” Directions were likewise given for the careful collection of *Peter-pence* : but the payment thereof to the Pope was forbidden; they being to be kept in the exchequer ⁴, and not issued, unless by the king’s order. The last article was added on occasion of the bishops of *London* and *Norwich* having published in their dioceses the interdict laid on the lands of *Hugh Bigot* earl of *Norfolk*, and the excommunication denounced against his person by the Pope : “ their doing so without a license from the justiciaries, in contempt of the statutes of *Clarendon*, subjected them to the forfeiture of their chattels ;” and orders were given for their prosecution before the king’s justiciary. These constitutions were sent to the chief justiciaries ⁵ in *England*, to be observed and sworn to by all the nobility and people of the kingdom.

XII. HENRY, endeavouring to improve the time he passed abroad, by cultivating a friendship with his neighbours, had an interview ⁶ soon after *Easter* with the king of *France* at *Gisors* ; and entertained his cousin *Philip* count of *Flanders* at *Roüen* : but being called into *England* by the incursions of the *Welsh*, who had over-run ⁷ *Cardiganshire*, he sent for his queen to take care of his foreign dominions ; who coming over with two of her children, *Richard* and *Maude*, and residing at *Angers*, was there delivered of her daughter *Jane* in the *October* following. The king, in the mean time, carrying over with him a body of forces from *Anjou*, *Poitou*, and his other foreign dominions ⁸, marched in Autumn into *Wales* ; took the strong castle of *Cardigan*, with two sons of prince *Rese*, and the children of several of the nobility ; slew great numbers of the *Welsh* ; and repaired the castle of *Basingwerk*. It was during his stay in *England*, that the elector of *Cologne* came with other embassadors from the emperor ⁹ *Frederick*, to treat of a marriage between the king’s eldest daughter *Maude*, and *Henry*, son of the late emperor *Conrade*, and duke of *Saxony* and *Bavaria* : *Robert de Thorigny* adds, that they had a commission likewise to propose another match between the king’s younger daughter, and a son of the emperor. Whatever was the case of this last proposal, the first was approved : the articles of the contract were settled and ratified here by the king ; who sent embassadors the next year to *Germany*, to receive the ratification of the emperor and *German* princes ; which was given upon oath at *Whitfouide*, in the diet ¹⁰ of *Wirtzburg*.

THE king seems to have kept his *Christmas* at *Oxford* ; being present in a council of his bishops held there ¹¹ about that time, on occasion of an heresy lately broached in *Gascogne*, and propagated thence into *Germany* ; those who professed it being distinguished by the name of Publicans. From the time of the *Pelagian* heresy, *England* had never been infected with any thing of that nature : nor was there now above one person, a young woman, perverted by about thirty of these heretics, as well men as women, very ignorant, and speaking only the *Dutch*

¹ C. 6.

² C. 2.

³ C. 9.

⁴ C. 10.

de Petriburg. Hoveden. Fordun. Scotichron. l. vi. int. Epist. S. Thomæ, l. i. ep. 35.

⁹ M. Paris. Rob. de Monte.

¹⁰ Trivetii Chron. M. Paris. Dicet. col. 539. Chr. Dunstaple. M. Paris. Gul. Neubrig. l. ii. c. 13.

⁵ These were Richard de Luci, and the two archdeacons, viz. Geoffrey Ridel of Canterbury, and Richard of Poitiers.

⁶ Rob. de Monte.

⁷ Powel's Hist. of Wales.

⁸ Chron. J. Abb.

Alliance with Germany, and reduction of Bretagne.

language,

7 M

HENRY II. language, that came over under the direction of one *Gerard*. Their chief errors related to baptism, the eucharist, and marriage, which they rejected with detestation, and being summoned before the council to give an account of their faith, and to be convinced of their errors by reasoning, they absolutely refused to enter into any dispute, but were resolved to persist, and ready to suffer for their opinions. The king, not caring either to punish them, or send them away uninstructed, had called this synod in order to convince them: but their obstinacy rendering them incorrigible, they were declared hereticks, and delivered over to the secular arm for such corporal punishment, as might prevent the spreading of their heresy. The king ordered them all to be whipped, and marked with an hot iron in the forehead, and their ringleader to be likewise marked in the chin: and by a proclamation discharged all persons from receiving them into their houses, or giving them any relief. This probably was meant to provide against any farther infection, or to hasten their departure out of the realm: but it had another effect, most of this silly enthusiastic sect dying, either of famine or cold, during the severity of the winter. The king did not stay to pass all that season in *England*: but having settled his affairs there, and provided for the security of the marches of *Wales*, went in the beginning of *Lent*¹ to visit his foreign dominions, where some commotions rendered his presence necessary.

A. D. 1166. SOME nobles of *Le Maine* and *Bretagne* had, during the king's absence in *England*, refused to obey the orders of queen *Eleanor*: and had made a² league together for their common security; obliging themselves to join for the defence of each other, in case any one of them should be attacked. *Henry*, alarmed with an association which endangered the peace of his dominions, raised an army: and marching into *Le Maine*, soon reduced the discontented nobility, forcing them to surrender their castles. Among others, *William Talvas*, and his grandson *John*, son of *Guy* count of *Pontbieu*, delivered up their fortresses of *Alençon* and *Le Riche-Mabile*; which having occasioned great disorders in the neighbourhood, and serving for a shelter to offenders, the king was desirous to resume into his hands for restoring the quiet of the country. *Henry* then entered *Bretagne*, took and demolished *Fougeres*: and under pretence of a contract of marriage between his fourth son *Geffrey*, and *Constance*, the only daughter of duke *Conan*, came to *Rennes* to take seisin of the duchy. The *Bretons* were an hasty, inconstant, restless, rapacious, and turbulent people, fond of war, and ever ready to engage in it for the sake of plunder: and the viscount of *Porboet*³, with the lord of *Fougeris*, and others of the nobility, had harassed the province during all the time of *Conan's* government. Tired out by their continual insurrections, he resolved to provide them a master, potent and vigorous enough to keep them in order: it was with this view, that he contracted his daughter to *Geffrey*, and made a grant to *Henry*, for his son's use, of the whole duchy of *Bretagne*, except the county of *Guingamp*, which had belonged to his grandfather *Stephen Derien* earl of *Richmond*, in right of his wife the countess *Hawis*. *Henry* accordingly making a progress through the country, received the homage⁴ of all the nobility and gentry of *Bretagne*; and having visited *Combour* and *Dol*, came to *Mount S. Michael*; where *William*, who, upon the death of *Malcolm IV*⁵, on *December 5*, in the precedent year, had succeeded to the crown of *Scotland*, repaired to him, accompanied by *Ninian*, king of the western isles, either to do him homage, or by serving in his army to merit a grant of the earldom of *Northumberland*.

¹ *Trivet Chron. M. Paris. Rob. de Monte.* ² *Rob. de Monte. Chron. Trivet. M. Paris.*

³ *Neubrig. l. ii. c. 18.* ⁴ *Trivet Chron.* ⁵ *Chron. Anabros. Fordun. Scotchmon.*

XIII. THE *Christians* in the *Holy Land* had lately received a great defeat. HENRY II. A. D. 1166. Tax for the Holy Land. *Bohemund* prince of *Antioch*, *Raimond* count of *Tripoli*, and some of their princes had been taken by the infidels: and their affairs in those eastern parts were in so distressed a condition, that without immediate succours, nothing but ruin could be expected. It was a point to which the *Christian* princes in *Europe* gave in those days great attention; vying generally with one another, who should contribute most largely to the relief of a country, where their religion was first planted, and which had been honoured by the sepulchre of its divine author. *Louis*, king of *France*, had for that purpose caused a collection, at the rate of a penny in the pound, to be made this year through all his dominions, and ordered it to be continued the four following years: which raising an emulation in *Henry*, he assembled soon after *Easter*, at *Le Mans*, the prelates and nobility of his foreign territories to engage them in a like contribution¹. It was agreed to be levied upon all persons, as well clergy as laity, at double the rate for the first year: but in the four next, it was rated only at a penny in the pound out of all rents, profits of husbandry and vineyards, goods and chattels; every body swearing to the value of their goods; and a trunk with three locks being fixed in every church² for the charitable benevolence of the parishioners. The like contribution seems to have been made in *England*, though perhaps not in the same manner; *M. Paris* saying it was raised at the rate of four pence a ploughland. This work of piety was done by the general consent of the nobility in the king's foreign dominions; though there was no small discontent among those of *Poitou*; which it behoved him either to remove, or at least to prevent its effects. It was with this view, that in a conference, on *November 18*, at *Tours*, he took care to secure *Theobald*³ count of *Blais* in his interest, by the payment of a pension of five hundred pounds a year; which he had promised him: and went, on the *Sunday* following, to *Chinon*, where he met the *Poitevin* barons, become more tractable by their despair of the count's assistance. There had been for some time a difference between him and *Matthew* count of *Beulogne*; who having married the eldest daughter of the late king *Stephen*, claimed in her right the county of *Mertain* in *Normandie*: he had used the mediation of *Matthew's* brother *Philip* count of *Flanders* to make up the dispute, and had proposed to *Matthew* an annuity of a thousand pounds in lieu of his pretensions to that county. In order to settle this accommodation, he had a meeting with those two princes, on *December 7*, near *Reuen*: and went afterwards to pass the *Christmas* at *Poitiers*, to secure the quiet of the adjacent province.

XIV. THESE measures were the more necessary, because of the consequences he had reason to apprehend from the furious measures which *Becket* was eager to take⁴: and would have taken much sooner, had he not been dissuaded by some of his fellow-sufferers more considerate than himself, and restrained by the authority of the Pope; who pressed him to take rather proper methods for a reconciliation, and, till he saw the event of things, to do nothing harsh against the king or kingdom. *Alexander*⁵ was alarmed at the alliance contracted between the king and the emperor; and not without apprehensions, that the former might, if matters were pushed to an extremity against him, be drawn to side with the latter, in supporting *Guy de Crema* the anti-pope: nor were his own affairs as yet in so flourishing a condition, but they might be ruined by such a conjunction; and these seem to have been the motives of that caution, which the *Pope* recommended. The archbishop,

¹ *Chron. Gervaf.* col. 1399. *Rob. de Monte.* ² *Trivet. Chron.* ³ *Epist. S. Thomæ*, l. i. ep. 44, 45.

⁴ *Epist. S. Tho.* l. i. ep. 85, 88. ep. 54. ⁵ *Ib.* ep. 69.

HENRY II. however, till he got leave to lance his censures, which he solicited in the most earnest manner, and could not see deferred without the utmost impatience, made by his letters and agents a terrible outcry in all places¹; *pretending his cause to be the cause of God*; that *Christ was judged in his person before a lay-tribunal, and crucified again in his sufferings*; of which he gave a tragical account. He represented his own departure out of *England*, as an act of persecution² on the king's part; though voluntary on his own, effected without his majesty's knowledge, and designed to avoid paying his just debts: and the constitutions of *Clarendon*, "as contrary³ to the *Christian* faith, because contrary to the ecclesiastical liberties, there being but one faith and one liberty, and every derogation from the one being so likewise from the other." He did not fail to admonish the king himself; to tell him, that he derived all his power from the church⁴, but the church had her's from *Christ*; that priests were exempt from human laws, and the secular power ought always to be subject to the ecclesiastical; and required him to give up the ancient customs and regalities of his crown: but *Henry* understood the rights of his crown too well to part with them, upon such empty declamations, and trifling pretences, as were made use of by *Becket* in his letters.

CHRIST did not come upon earth to make any alteration in civil government, nor to assume to himself any power of judicature: this he expressly disclaimed, and declared *his kingdom not to be of this world*. Agreeable hereto, the church which he founded had originally no jurisdiction in the cognizance of causes: but confined herself to matters of religion and faith, wherein she judged by way of polity; to the correction of manners in cases of publick scandal, wherein she proceeded by way of censure; and to the terminating of differences among *Christians*, wherein she acted by way of arbitration. All her acts of power lay in the conferring or denial of the sacraments, in enjoining or relaxing penance, in issuing or removing suspensions and excommunications, which are rather censure or correction, than absolute jurisdiction. These acts extend only to the souls of men; which are not liable to a constraint, properly so called, but only to persuasion: and whilst the secular authority can exact obedience by force and terror, the ecclesiastical works purely by exhortations; having in itself no coercive power. Whatever judicial power or jurisdiction is at present enjoyed by the church in any part of the *Christian* world, it was originally derived from the grants or permissions of princes: and for the four or five first centuries of *Christianity*, all ecclesiasticks, being members of the civil society, were tried, in all civil and criminal causes, by the secular magistrate. *Constantine the Great* judged in the case of *Cecilian*, a cause of an ecclesiastical nature; as his son *Constantius* did in the case of *Stephen* bishop of *Antioch*: nor was there any exemption granted by the imperial laws to bishops and clergymen, till the time of *Justinian*; who first granted bishops the privilege of not pleading before lay-judges; but though he enlarged their jurisdiction, he still reserved the right of appeals to himself. It is evident from the nature of the penalties, that pecuniary mulcts, imprisonments, mutilation of members, and other corporal punishments must be derived from the secular power: and as to ecclesiastical causes, it is plain from the *Theodosian* and *Justinian* codes, that the emperors inflicted temporal penalties, even in the case of heresy. Princes ever had, from the beginning of the world, an authority to punish the crimes of their subjects: nor can this be taken away by the censures of the church upon them; the same fact being cognizable by both powers, and punishable by the one with ecclesiastical censures, and by the other with civil penalties; the civil power not being qualified to inflict ecclesiastical censures, nor the ecclesiastical authorized to denounce civil punishments.

¹ *Ib.* l. i. ep. 40, 85, 127, 129.² *Ib.* ep. 53.³ *Ib.* ep. 85.⁴ *Ib.* ep. 64, 65, 66.

any further than she is empowered by the civil magistrate.

HENRY II.

A. D. 1166.

CHRISTIAN princes indeed were from time to time very bountiful to the church, and fond of adding to her privileges: but yet a learned author¹ maintains, that the Popes had not, even in *Rome*, the *jus carceris*, or a power of imprisoning, till it was granted them by *Charles the Great*; who giving them territories to support their dignity, laid the foundation of their temporal grandeur. Other princes, moved by his example, granted the same right to other bishops in their cities: but in *England*, where the bishops exercised the judicial power, granted them by the state, in the county-courts, in concert with the civil judge, they had no such right till the latter end of *William the Conqueror's* reign, when the two judicatures were separated. The matters cognisable in the ecclesiastical court were then fixed; and to preserve an harmony between it and the courts of law, certain regulations were made; some traces whereof appear in the constitutions of *Clarendon*: all which are either usages of the *Saxon* times, or else institutions established by the *Conqueror* (when he introduced the papal authority, and separated the two judicatures) to guard the civil power from the encroachments of the ecclesiastical. These barriers of the civil authority were disagreeable to the Popes; who made it their constant endeavour to demolish them, that they might assume as absolute a power in *England*, as they had usurped in other countries: and they attacked them in the same way, by making canons in synods of their own creatures, and calling them *divine* laws; to which the customs and constitutions of all countries were to give way, as being laws merely human. It was but an ill return in the clergy, for the privileges granted them by princes, to disown the fountain from whence they flowed; to claim them by divine right; to arrogate to themselves what other privileges they pleased; and to make use of such pretended privileges, to supplant and destroy the authority of their benefactors. No monarchy, no constitution of any country can subsist, if its laws are to be set aside by the decrees of a foreign, whether papal or other, power: and there cannot well be a greater absurdity, than appears evidently in the notion, that the laws of a land are repealed, and the obligation of subjects to obey them ceases, whenever a Pope's decretal, or a canon of a foreign council enacts any thing to the contrary. Yet on this absurd pretence was founded all the opposition made by *Becket* to the constitutions of *Clarendon*, which were not new laws, but merely declarative of the old, and an affirmance, either of the ancient customs of the realm, or of rights which the kings of *England* had always enjoyed. This is so clear, that in the collection of letters², during the archbishop's seven years exile, made at that time, lodged in the *Vatican*, and from the copy there preserved, printed at *Bruxelles*, A. D. 1682, there is not so much as an attempt to shew, that they were not the ancient usages and laws of the kingdom: but all that is alledged against them consists in this, that they were unlawful, and ought to be annulled, because contrary to the canon law, or to the decrees of Popes and foreign councils. *Becket* and his adherents, to make up what was wanting in the justice of their cause, and in the weight of their arguments, by a cant and sophistical way of expression, always take care to dignify those canons and decrees with the title of the *laws of God*³, in contradistinction to the laws of the kingdom, which they represent as mere human traditions: and though the civil power is as much the *ordinance of God*, as the *ecclesiastical*, however conveyed by a different channel, and is expressly declared to be so in the *New Testament*, yet they perpetually insist on

¹ Giannone, *Hist. di Napoli*, l. vi. c. 8.

² Among the manuscripts of the *Bodleian* library at *Oxford*, *Arch. l. 99*, is a manuscript of this collection wrote in an hand of the time of *Henry II*, belonging formerly to *Alan* prior of *Canterbury*, who hath put at the head of the epistles a table

of them to shew the true order wherein they were wrote, thereby remedy the confusion, wherein they stand in the collection.

³ See *Epist. S. Tho.* l. iii. ep. 91. l. iv. ep. 14. l. v. ep. 67. & *passim*.

HENRY II. this fallacy; which, with some pompous quotations, and solemn misapplications, of
A. D. 1166. passages of scripture, nothing to the purpose, is all they have to say for their cause, and in defence of their conduct.

THIS is the substance of all the archbishop's apologetical, declamatory, and commonitory letters; the particulars whereof it would be equally tedious and useless to relate: and as to the liberties of the church, for which he pretended to be a champion, the king certainly, who invaded no ecclesiastical privilege allowed by the laws of the kingdom, consulted much more the honour and the true *rights* and *liberties* of the *Church of England*; when he offered over ¹ and over to submit the dispute to her judgment, than *Becket* did, either in declining it, or in giving up the dignity and independency of the church of *Canterbury*, by taking a new illegal investiture of his see from the Pope, or in suing to him for a grant of the primacy ² of all *England*. This he obtained, with an inhibition to the metropolitan of *York*, to carry his cross erect in the province of *Canterbury*: and the Pope wrote likewise on *May 3*, to ³ the bishops of *England*, ordering them to procure a restitution of all the benefices belonging to *Becket's* clergy and the profits thereof, on pain of excommunication, without the benefit of an appeal. *Alexander* had been received in *Rome* on *Nov. 21*, in the foregoing year: and his affairs seeming to be in a prosperous condition, he now thought fit to allow the archbishop to pursue his own measures. *Becket* ⁴ accordingly going from *Pontigny* to *Soissons*, watched there all night at the shrine of *St. Dransius*; who is thought by the *French* to render champions, who perform that ceremony, invincible: and ⁵ being thus fortified in his resolution, hasted to *Vezelay*, in order to thunder out on *Whitsunday* (*June 12*) an excommunication against the king of *England* and his ministers. But having advice two days before of the king's being very ill, he for that reason left him out of the censure: and contented himself with sending him threatening letters, that it should be denounced in a short time, if he did not repent, and make satisfaction for what he had done against the church. In this censure were involved several of the king's ministers by ⁶ name; all ⁷ that were concerned in the sequestration of the possessions of the church of *Canterbury*; and all that either obeyed, favoured, or put in execution the constitutions of *Clarendon*, which he took upon him to annul, and absolved every body from the oaths they had taken for their observation.

THE sentence of excommunication, besides its effect in spirituals, was the more inconvenient and terrible in those days, by reason, as well of a prevailing notion, that it rendered people infamous and detestable, depriving them in a manner of civil society, and causing them to be shunned as if infected with the plague, as of some papal decretals, disabling ⁸ them to make wills or contracts, to sue at law, to do any legal act, or exercise any office of state or judicature. But *Becket's* censures were little minded; scarce any body caring either to publish his sentence, or to avoid those whom he had excommunicated: and as the wisest persons ascribed his proceedings to pride and passion, this perhaps might be one rea-

¹ *Epist. S. Thomæ*, l. i. ep. 38. 128.

² *Ib.* ep. 75. ³ *Ib.* ep. 18. 79.

⁴ *Ib.* ep. 72. 119. 120. 121. 122.

⁵ *Ib.* ep. 140. 143. 145. ⁶ *M. Paris.*

⁷ *Viz. John de Oxford*, who having been sent ambassador into *Germany* had been falsely accused of communicating with the archbishop of *Cologne*, and being chosen by ⁸ the chapter of *Sarum*, had been installed in that deanery against the Pope's and *Becket's* mandates; which forbade the chapter to proceed to an election without the consent of the

members, that followed *Becket* in his exile; *Richard de Ivelcheſter* archdeacon of *Poitiers*, for communicating with the said archbishop; *Richard de Luci* the chief justiciary, and *Jocelin de Baliol*, for maintaining the constitutions of *Clarendon*; *Ralf de Broc*, *Hugh de St. Clair*, and *Richard de Fitz Bernard* for being sequestrators of the possessions of the see of *Canterbury*.

⁸ *Ib.* ep. 96. ⁹ *Fitz Stephens*, p. 54. *Epist. S. Thomæ*, l. i. ep. 146.

¹⁰ *Epist. S. Thomæ*, l. i. ep. 164.

¹¹ *Ib.* ep. 104.

son, why he applied to the Pope¹ to ratify his sentence. To provide against its consequences, orders were sent to *England* to have the ports strictly² guarded; to prevent the bringing over of the Pope's letters or mandates: and the prelates of the kingdom, meeting soon after at *London*, appealed from it to the Pope; who at last³ resolved to send two legates to make up the difference between the king and the archbishop. *Henry* had before expressed his displeasure at *Becket's* being entertained in *Pontigny*, but was now so incensed at his proceedings, that he wrote to the general chapter of the *Cisterians*⁴, and threatened to seize all their estates throughout his dominions, if he was subsisted any longer in that abbey. The archbishop hereupon, after near two years stay at⁵ *Pontigny*, left it on *Nov. 11*: and coming to *Sens*, was honourably supported by the king of *France* for four years, in the monastery of *St. Colombe*. The onely effect of his excommunication, yet not of that alone, was the bishop of *London's* resignation of the benefices and effects of *Becket's* clergy, which had been sequestered into his hands⁶; and paying the profits thereof into the Exchequer, about the end of this year: the⁷ sum after a sequestration of two years was so very small, that it affords reason to think, the number of the clergy, who adhered to the archbishop, and followed his fortune, to be very inconsiderable.

To strengthen his party and procure more respect to his authority, the archbishop desired, and obtained from the Pope, the character of legate⁸ of *England*; with leave to exercise his legatine powers over all the kingdom, except the diocese of *York*, which was exempted from his jurisdiction, because the archbishop of that see was legate of *Scotland*; and it was a rule in the court of *Rome* not to subject the church of a legate, whilst he enjoys the character, to any other legate, on account of his legation. As there are no dates to any of the letters in the above quoted collection, except the Pope's; and in these, the year is never mentioned, it is not easy to ascertain the precise time, when this legation was granted to *Becket*: but it seems to be in *A. D. 1166*, because the Pope's letters notifying it to him are dated⁹ *Oct. 9*, at *Anagni*¹⁰, a town in the *Campagna di Roma*, twelve leagues from *Rome*, and a place which he might easily visit, whilst he was master of that city, and his affairs were there in a prosperous condition. It was not at first perhaps intended to publish these legatine powers, but to¹¹ reserve the exercise thereof till a convenient time, when they might be executed, without any danger to the interests of *Alexander*, or when matters were come to an extremity. But *Becket*, who, after his solemn excommunication on *Whitsunday*, above related, had proceeded to pass the like censure on all that guarded the ports¹², and had summoned the bishops of *London*, *Sarum*, *Hereford*, and others to attend him within forty days after notice, thought fit to notify them earlier; either out of vanity, or to procure obedience to his censures and summons, the force and effects whereof had been suspended by the bishops appeals. Thus on *Jan. 25*, when the bishop of *London* was¹³ at the high altar in his church, celebrating the festival of *St. Paul*, an un-

¹ *Ib.* ep. 138. 118. ² Ep. 140. 146, 147.

³ *Chron. G. v. v. col. 1400.* ⁴ *Vita S. Tho. Præf.* ep. p. 86, 87. ep. 138. 129.

⁵ *Hoveden.* ⁶ *Fitz Stephens*, p. 54. *Epist. S. Th.* l. i. ep. 45. 123. ⁷ It was 1081. 145. 6d.

⁸ *Ib.* ep. 168. ⁹ *Ib.* ep. 115. See ep. 129. 131.

¹⁰ It appears from a cotemporary writer, author of the Acts of *Alexander III.*, that this Pope was received in *Rome*, *Nov. 21*, *A. D. 1165*; that he kept possession of it, till *July A. D. 1167*, when he was driven out by the emperor *Frederic*, (*Triveti Annal.* an. 1167.) and the antipope *Guy de Crema*,

and was forced to retire to *Benevento* in the kingdom of *Naples*, under the king of *Sicily's* protection: but *Frederic* being called away by the revolt of the cities of *Lombardy*, he came nearer *Rome* to *Anagni* in *A. D. 1169*, though he did not recover possession of *Rome* itself, till *A. D. 1178*. *Baron. Annal.* t. xii. p. 647, 671. 743, and 44. It appears also that the Pope was at *Rome*, when *John de Oxford* negotiated with him, from *Epist. S. Thomas*, l. i. 164. 166. See also l. ii. ep. 66.

¹¹ *Vita S. Thomæ Præf.* Ep. p. 93.

¹² Ep. 130. ¹³ *Ib.* ep. 131.

HENRY II. known person delivered to him authentic copies of the bull of legation, and *Becket's* letters, to be transmitted to all the prelates of the realm, notifying his legatine powers, and enjoining them to restore, within two months, all his clergy to their benefices under pain of excommunication, with a bar to all appeals. This mandate, flowing from the papal authority, exerted by a legate, could not be suspended by an appeal: and put the bishop under great difficulties; seeing no remedy or fence against it, but being obliged either to execute the mandate, or incur the usual censure of disobedience. The Pope however had not yet, by any act of his own, notified this legation of *Becket* to the bishops and clergy of *England*; the letters for that purpose not being dispatched¹ till after *April* 24 following; on which day they are dated from the palace of *Lateran*.

THIS step was probably then taken, for the more effectual removing of the uneasiness, which the archbishop felt on account of the legation of the cardinals *William of Parvie* and *Otho*, who set out about that time from *Rome*; and with the same view as those other acts, by which the *Pope* then confirmed his primacy, and exempted him from the cognisance or judgment of the legates. But before that day came, the bishop of *London* was rid of his fears, by the adroitness of *John de Oxford*; who was sent by the king² to *Rome*, along with *John Cumin* and *Ralf de Tamworth*, agents employed by the *English* bishops and clergy to notify their appeal; and who, if he did not succeed in his negotiation, so as to get the archbishop removed to some archiepiscopal dignity in foreign parts, or the ancient customs of *England* confirmed, had yet gained time for a negotiation, and prevailed with the Pope to take the appellants under his protection and to suspend all the³ effects of *Becket's* censures and summons; who was not a little incensed at being thus stopped in the very entrance upon his legation. This was done by persuading the court of *Rome* that it was no difficult matter to make an accommodation between the king and the archbishop: and the Pope was so pleased with the thing, and the reasons he urged to prove it feasible, that he immediately restored him to the deanery of *Sarum*, and resolved to send the cardinals, *William*, a favourer of the king's cause, and *Otho*, a zealous partisan of *Becket* into *Normandie*, to bring about the accommodation. *Cumin* and *Tamworth*, leaving *Rome* on *Jan.* 1, returned in the beginning of the next month: and *John de Oxford*, returning not long after, made the bishops of *England* easy about their appeal, and resolved to meet the legates upon their arrival in *Normandie*.

XV. WHILST these things were transacting, a rupture had happened between the crowns of *France* and *England*; the occasion whereof is variously related. Some⁴ imputed it to the count of *St. Gilles*, with whom *Henry* was still at variance about *Toulouse*; others to *Josse* archbishop of *Tours*, who was for delivering the money, collected in *Touraine* for the service of the *Holy Land*, to the king of *France*, because he was patron of his church, but was hindered from doing so by the king of *England*; who resolved to send it thither by his own messengers, as it was collected in his territories. It was still more generally thought to be on account of archbishop *Becket*: but however all those things might contribute to exasperate *Louis*, the immediate occasion of the war seems to have been *Henry's* invasion of *Auvergne*, a fief held under him as count of *Poitiers*, or duke of *Guienne*. The king of *England* had kept *Christmas* at *Poitiers*, whither his son *Henry* had come to him from *England*: and went soon after into *Guienne*; where he had in *Lent* a conference with the count of *St. Gilles*, the particulars whereof are not related; but there is

¹ *Ib.* ep. 116. ² *Ib.* ep. 164, 165. ³ *Ib.* l. ii. ep. 60, 68, 23. ⁴ *Chron. Gervaf.* col. 1102. *Chron. 1110 et. Rob. de Monte. M. Paris.*

no reason to think it terminated in putting an end to their quarrel about *Toulouse*. ^{HENRY II.}
William count of *Auvergne* had disinherited the young count his nephew, and ^{A. D. 1167.}
 had promised to abide by the king of *England's* determination in the matter of their
 dispute: but, instead of keeping his word, had gone over to the king of *France*,
 and endeavoured to set the two kings at variance. This incensing *Henry*, he fell with
 an army, soon after *Easter*, into *Auvergne* and wasted the count's lands: which
 seems to have drawn *Louis* with another army into the *Vexin Normand*; where
 he staid four days, ravaging the country. *Henry* marching thither with his
 forces, had a conference with the king of *France* on the octaves of *Easter*, to treat
 of peace: but the *French* nobility being averse to an accommodation, the treaty had
 no effect, and both princes applied themselves to raise more forces, and to fortify
 their castles. The king of *France* invading the borders of *Normandie*, burnt
 several villages between *Mante* and *Pacey*: *Henry* was so exasperated at this
 method of making war, that, notwithstanding the great deference which he had
 to him as his superior, he took and burnt *Chaumont*, a very strong castle; where
 the *French* had their military chest and a magazine of victuals. *Louis* in revenge burnt
Andeli, a town belonging to the see of *Roüen*: but a stop was soon after put to the
 miseries of the country by a truce; which was made in *August*, for the suspen-
 sion of all hostilities till the *Easter* following. This allowed *Henry* time to
 make an expedition into *Bretagne*: where he subdued the county of *Leon*; forcing
Guimar the viscount to submit, and deliver hostages for his future fidelity.

WHILST he was in that country, he received advice of the decease of his mother,
Maude the empress: who died on *Sept. 10*, at *Roüen*, and was buried in the abbey
 of *Bec*, to which she had been a great benefactress. This princess founded three
 monasteries in *Normandie*, besides that of *Stoneley* in *England*: and was as much
 distinguished by her judgment and prudence, as by her piety and devotion; which
 last were probably the qualities that moved the Pope and the archbishop² to write
 to her, and desire her intercession to accommodate the dispute between her son and
Becket. She was entirely satisfied, that *Henry* was drawn into that dispute, purely
 by his zeal for justice; and that the constitutions of *Clarendon* were agreeable to
 the ancient rights of the crown and the customs of the kingdom: but she thought
 it wrong to put those customs in writing and to extort from the clergy a promise
 of observing them; these things not having been done by any of the king's prede-
 cessors. With regard to the healing of that breach, it was her opinion, that the
 best way was, to wave the points of the writing and promise, and to provide in
 general for the observation of the ancient customs of the realm; with such a mo-
 deration, that the liberty of the church should not be destroyed by the secular
 judges, nor the bishops abuse their ecclesiastical liberty. It was with some diffi-
 culty, that *Maude* was brought to use her good offices in this affair of a mediation:
 but she had engaged in it a little before her death; which event left the work to
 be carried on by *William* of *Pavie* and *Otho*, the two legates *à latere*, that were sent
 this year into *Normandie*, for that purpose.

THESE legates set³ out from *Rome* before the seventh of *May*: and whether they
 had any power granted them to determine the dispute in a judicial way or no, the
 reports which had prevailed of their design to condemn *Becket*, and to determine
 the dispute as the king of *England* pleased, the complaints of the archbishop, with
 his resolution to reject their judicature, and the pressing instances of the court of
France in his favour, engaged⁴ the Pope to send after them orders to use their en-
 deavours for curing *Becket* of that suspicion, and for making peace between him

¹ *Chron. Norman. Chron. Beccense. Chron. Triveti. Chr. S. Steph. Cadomers.* ² *Ep. S. Tho. l. i.*
 ep. 52. *Epist. S. Tho. l. i. ep. 53.* ³ *Ib. l. ii. ep. 23.* ⁴ *Ib. l. ii. ep. 4, 34, 104.*

HENRY II. and *Henry*, but not to go into *England* nor meddle in the consecration of bishops to vacant sees¹, till the reconciliation was effected. Their motions, after they began their journey, were very slow; all the roads between *Rome* and *Venice* being beset by the emperor's forces, or the *Gibelins*: but passing from the latter of those places by *Turin*, and through *Provence* to *Montpelier*, they got at last, in the beginning of *November*, to *Caen*² in *Normandie*; where they found the king with a good number of his bishops and abbots as well of *England*, as of his other dominions. *Henry* expected that³ they had brought powers to terminate all matters in dispute, by a sentence that would have confirmed the constitutions of *Clarendon*; which all the bishops there present attested to be the ancient customs of the realm, and he was himself ready to give up any, that it could be pretended, were introduced in his own time: but when he found the contrary, and that the archbishop had been exempted from their judgment by letters since they began their journey, he was highly incensed; and it was with reluctance⁴, that he consented at last to their treating with *Becket* about an accommodation. The Pope had wrote to this prelate, inhibiting him from issuing any sentence against the king, or any of his kingdom⁵, and pressing him earnestly to take proper measures for a peace and reconciliation: but he was not of a temper to hearken to this advice; and when the legates desired him to meet them at a certain place and time, in order to learn his sentiments on the subject, he excepted to the place, as lying in the king of *England's* land, though a safe-conduct was sent him; being resolved to meet no where but in the *French* territories, at a place he named himself, and to put off the day from the eleventh to the eighteenth of *November*. On this last day they met at *Planches* between *Gisors* and *Trie*: and the legates recommending to him, that he would humble himself a little to the king, so as to afford them means of making an accommodation, and desiring to know his mind with regard to the terms, he would enter⁶ into no particulars. When they proposed, for the peace of the church, that he should resign his see, if the king would renounce his customs, he refused: nor would he submit to their judgment; when they asked him the question, and told him that the king and bishops had promised to leave all the points in dispute to their arbitration. His pretence was, that he had received no mandate from the Pope on the subject: and till himself and all his clergy were restored, he would not enter into any treaty, or agree to any method for determining the difference; a conduct naturally⁷ enough to be expected from a man, that had declaimed in all places against one of the legates, as well as the king, in the bitterest and most injurious language.

THE legates, despairing of any success in their negotiation, returned however to the king⁸, to give him an account of what had passed: and found him with his prelates at *Argentan*. The bishops took that occasion to acquaint them with several invasions made by *Becket* upon their authority, and with his conduct towards the king: to whom, on a just state of the accompt, "he was indebted forty thousand marks of the rents he had received whilst chancellor, and refused to make any satisfaction, on the ridiculous pretence of his not being obliged to it, because he had not been called to an accompt at the time he was advanced to the see of *Canterbury*; as if he imagined, that debts were wiped off by a promotion, just as sins were pardoned by baptism." The time of their former appeal⁹ was now expired; and expecting, after the legates departure, every thing that was violent from the archbishop, who importuned the Pope continually for leave to issue out excommunications and interdicts, they renewed their appeal, taking near a year's

¹ *Epist. S. Tho.* l. ii. ep. 4, 34, 105.² *Ib.* ep. 28, 30.³ *Ib.* l. iii. ep. 20.⁴ *Ib.* ep. 7.⁵ *Ib.* ep. 28.⁶ *Fitz Steph.* p. 57.⁷ *Ib.* ep. 10, 14, 20, 21, 22, 41.⁸ *Ib.* ep. 6, 33.⁹ *Ib.* ep. 35, 55, &c.

time for it, by fixing the day of hearing to the *Martinmas* following: and the HENRY II. A. D. 1167. legates not only gave them appellatories¹, but signified to *Becket*, that he was not to pass any censure either upon them, the king, or the realm, without the Pope's express direction. The king, not a little vexed at being disappointed of all his expectations² from this legation, desired the cardinals at parting, to represent his case to the Pope, and get the archbishop removed out of his dominions: and sent *Henry Picbum*, with *Reginald*, son to the bishop of *Sarum*, to sollicite the court of *Rome* on the subject; not without some insinuations, that though he had not yet complied with the emperor's instances in the behalf of the anti-pope, yet if he was denied justice, he might be tempted to take his own methods of redress. The legates having nothing more to do, left the king on the *Tuesday* after the first *Sunday* in *Advent*, and set³ out for *Paris*, in order to execute another part of their instructions, and to settle a peace between the two crowns; in which they had as little success, as in the chief subject of their legation.

THE barons of *Poitou* and *Guienne* had been for some time full of complaints, A. D. 1168. on account of some pretended privileges which *Henry* had either invaded, or did not care to allow them: and the king of *France* had so enflamed their discontents⁴, that, encouraged by the promise of his assistance, the counts of *Engoulesme* and *La Marche*, the *Vicomte de Touars*, *Aimery de Lefignan*, *Robert* and *Hugh de Silly*, with many others of the nobility broke out into an open rebellion, and made horrible ravages in the country. They chose an improper time for their insurrection, whilst the truce with *France* was still subsisting: and the king of *England* having passed the *Christmas* at *Argentan*, marched against them as soon as the holidays were over, took the strong castle of *Lefignan*, destroyed their towns, and soon reduced them to so low a condition, that they were ready to submit; had it not been for the hostages, which, in consequence of their engagements with *France*, they had delivered to *Louis* for a security, that they would not lay down their arms without his consent. To remove this obstacle to a pacification of that part of his dominions, *Henry* leaving good garrisons in the castles, and the care of the country to his queen and *Patric D'Eureux* earl of *Salisbury*, went at the end of *Easter* holidays to treat with the king of *France*, between *Mante* and *Pacey*, about a peace, or a renewal of the truce, which was then expiring. In this conference he complained heavily of the methods taken to debauch his subjects from their allegiance, and demanded the hostages of the *Poitevins*: but the *French* not caring to restore them, and warm disputes arising, all he could do, was to continue the truce till a week after *Midsummer*; a step very convenient in the situation of his affairs. He had scarce set out for the conference, before the *Poitevins* had treacherously surprized and slain the earl of *Salisbury*: he was tempted to take immediate vengeance on *Guy de Lusignan*, and the other authors of that murder, but was obliged to suspend his resentment; being called by a more urgent occasion into *Bretagne*, the barons of which country had refused upon summons to come to his assistance.

THIS refractoriness was owing chiefly to *Eudo* viscount *Porboet*, on whom he had bestowed great favours in order to engage him in his service: but nothing being able to keep that nobleman quiet, who pretended, in right of his late wife, to no less than the government of the whole province, *Henry* had at last expelled him the country. The court of *France* was the constant refuge of all the mutinous nobility in the king of *England's* foreign dominions: *Eudo* entering into measures with that court, drew *Oliver de Dinan*, and his cousin *Roland*, with many of the *Breton* lords, into the like engagements; so that a general conspiracy was formed,

¹ *Epist. S. Thomæ*, ep. 29.
Chron. Norman.

² *Ib.* ep. 26.

³ *Ib.* ep. 34.

⁴ *Chron. Trivet. Rob. de Monte.*

HENRY II. for getting rid of the *English* dominion. The promise of *French* succours was the great encouragement to this defection: they had complied with all the conditions required of them by *Louis*, and had put hostages into his hands, upon the same terms as the *Poitevins*. *Henry*, ever active, vigorous, and expeditious in all his measures, marched, as soon as he had renewed the truce, with an army into *Bretagne*; took and demolished the castles of *Jocelin* and *Abrabi*, *Eudo's* strongest fortresses; reduced *Vannes*, with all the country of *Porboet*, and half that of *Cornouaille*; and having wasted all his lands, marched back, and fell upon the country about *Dinan* and *S. Malo*, which he treated in the same manner. There he took the castles of *Hedde* and *Bocherel*; dismantled that of *Tintigny*; and would have reduced all the strongholds of *Oliver* and *Roland*, if he had not been called away to meet the king of *France* at *La Ferte Bernard* on the octaves of *Midsummer*, in hopes of renewing the truce, if a peace could not be concluded. The obstacle of the hostages still remained; the *Bretons* were in treaty with the noblesse of *Le Maine*, for raising an insurrection in that province: and the *French* thinking they might carry on the war with advantage, whilst the *Bretons*, *Poitevins*, and their neighbours continued in their rebellion, and diverted a great part of *Henry's* forces, the conference broke off without any effect, and the war, being immediately renewed, lasted till *Advent*.

HENRY prepared for it with his usual caution: and not to have too many enemies on his hands at a time, had, by a considerable pension, made up all differences with *Matthew* count of *Boulogne*; who had the year before fitted out a fleet of six hundred vessels in order to an invasion of *England*. His attempt was disappointed by the vigilance of *Richard de Luci*, chief justiciary and guardian of the realm: but as it was troublesome and expensive to be continually on the guard against such enterprises, the king thought it proper to comply with his demand of an equivalent for the county of *Mortain*, and to engage him in his service. That prince, proposing to come to his assistance with a body of knights, was denied a passage by land through *John* count of *Ponthieu's* territories: and put to the charge and inconvenience of a sea-voyage to perform his stipulations. The king resenting this refusal, fell into *Ponthieu*; destroyed the country; and burnt above forty towns: but whilst he was thus employed, the king of *France*, making a sudden incursion into the frontiers of *Normandie*, surprized and burnt *Chefnebrun*, near *Vernueil*. *Henry*, advancing to oppose the enemy, who retired upon his approach, cut off part of their rear, took the seneschal of the court of *Flanders*, with several other knights, prisoners, and over-ran the province of *Le Perche*. In such little actions, as the taking of castles, and the skirmishes of parties, was the war carried on without coming to a general engagement; though the two kings, equally warlike, were both in the field at the head of great armies.

In this situation of affairs, it was no small instance of *Henry's* prudence, or of his steadiness to the principles he professed in religion, that he rejected the offers made him by the emperor, and princes of *Germany*, of sending him great succours, and invading *France* with a powerful army. Queen *Eleanor* had gone over at the latter end of the last year into *England*, to prepare matters for the sending away her daughter *Maude* to be married to *Henry* duke of *Saxony*, pursuant to the contract made some years before, and to receive the elector of *Cologne*, and other ambassadors, who were sent to convey her to her husband. The young princess accordingly went to *Germany* in the beginning of this year, with a prodigious sum of money for her fortune, raised by a general aid from all the knights fees in *England*, and by a fine of five thousand marks laid upon the *Jews*, allowed to stay in the kingdom. At the *Whitsontide* following, the emperor had held a diet of the empire at *Wirtzburg*,

the fullest that had been known of a long time; the duke of *Saxony*, with all the great princes of *Germany* assisting at it: and there a resolution was taken to support the interests of the anti-pope *Paschal*, and in case of his death (which happened soon after) those of his successor *Calixtus*. This was confirmed by the oaths of all present; and endeavours were used to draw the king of *England* into the confederacy by the offers abovementioned: but he declined them, either out of principle, or for fear of increasing the troubles of his kingdom, already disordered enough by the dispute about the constitutions of *Clarendon*; though he had lately met with great provocations in that affair. The king of *France*, whose friendship was absolutely necessary¹ to Pope *Alexander*, whilst his title to the papacy was controverted, had been exceedingly irritated at his grant of a dispensation for the marriage of the king of *England's* son *Geffery* with the heiress of *Bretagne*, the parties being in the third degree of consanguinity, and at the mildness or slowness of his proceedings in the cause of *Becket*. This prelate², importuning *Alexander* continually for leave to issue out his censures against the king and realm of *England*: and being supported by the instances of *Louis*, prevailed at last to have a day fixed for the restoring him to his see, and his clergy to their benefices; and in case that was not done, had liberty given him³, to excommunicate the king, and lay an interdict on the kingdom. *W. de Pavie*, one⁴ of the legates, had indeed procured a rescript for suspending that liberty; but could not get it revoked: the bull of permission remained still of force; and after the day fixed, *Becket* was at full liberty to denounce his censures. This was the reason the legates were in such haste to leave *Normandie*, that they might be out of the king's hands before the term expired: nor did the archbishop fail, after the day had passed without any restitution of himself or his clergy, to excommunicate⁵ some of the king's ministers, without any citation or form of law, and notwithstanding their appeal. *Ralf*, archdeacon of *Landaff*⁶, was sent to the court of *Rome*, to get absolution for the persons under that censure: and it was expected that *Gratian* and *Vivian*, whom the Pope sent to treat with *Henry* for *Becket's* restitution, would come empowered to relax the sentence.

HENRY II.
A. D. 1168.

XVI. THESE nuncios, who seem to have left *Benevento* about *May 10*, arrived, on *August 24*, at *Danfront* in *Normandie*⁷; where the king met them; and received the Pope's letters, pressing him to restore the archbishop to his favour, and referring him to the *Nuncios* for a further explanation of his desires. These seem not to have been agreeable to *Henry*, nothing being done in the treaty, till the last of *August* at *Bayeux*; where the king having assembled a number of his prelates, as well of *England* as of his foreign dominions, told the *Nuncios*, that though he had not sent *Becket* away, and had frequently summoned him to return, and answer to what was charged upon him, yet out of regard to the Pope, he would be reconciled to him and his clergy: but he expected in return, that they should absolve his ministers there present, and one of them should go to *England*, to do the same office for the others that had been excommunicated in that country. The nuncios at first made a difficulty in this matter⁸: nor would they at last absolve such as were on the spot, unless in hopes of a reconciliation, and in case it was effected by a certain day. This agreement being⁹ drawn up in writing by the bishops, the king caused to be inserted in it *a salvo for the dignity of his kingdom*: and this being readily admitted, he went the next day to *Caen* upon some business, of which he had apprized them before-hand; supposing that every thing was absolutely settled.

Treaty with
the nuncios
Gratian and
Vivian, and
peace with
France.

¹ *Epist. S. Thomæ*, l. i. ep. 166.

² *Vit. præf. S. Tho.* l. ii. c. 22.

³ *Ib.* l. ii. ep. 108.

⁴ *Ib.* l. ii. ep. 62, 108.

⁵ *Ib.* l. iii. ep. 5, 20.

⁶ *Ib.* ep. 2, 3.

⁷ *Ib.* ep. 6.

⁸ *Ib.* ep. 35.

⁹ *Ib.* ep. 6, 12, 21.

HENRY II. When this clause came to be communicated to the archbishop's partisans, they knowing well the use they made themselves of their usual *salves for their order, and the liberty of the church*, to set aside the obligation of the solemnest oaths, excepted to it¹, as serving to establish the customs of the realm, and to banish the papal authority out of *England*. The *Nuncios* hereupon retracted their consent to it: and insisting that the clause² should be struck out, *Rotrou*, archbishop of *Roüen*, proposed to substitute another in its stead; whereby the king should engage to restore *Becket* to his see, and his clergy to their benefices, in as full a manner as they enjoyed them, before they quitted the kingdom. To this amendment *Henry* made no difficulty of agreeing: but still insisted that his own clause should remain³, and the dignity of his realm be maintained, without any restraint by a captious saving of ecclesiastical liberties. *Becket's* friends resolving to reject the clause, the *Nuncios* not able to do any thing more in the negotiation, departed: the prelates that assisted at it, wrote to the Pope in favour of the clause; and the king sent *Reginald de Salisbury* and *Richard Barre*, to remonstrate against its being rejected, and "to
 " desire as well, that some temperament might be found out to save his honour and
 " dignity, from which he could not think it the pontiff's intentions to derogate; as
 " that he would absolve the persons excommunicated, and prevent the like censures
 " for the future, or else he should be obliged to provide for his honour and security
 " in some other manner."

HENRY was always persuaded, that the instances of the court of *France* were the chief reason, why that of *Rome* did not comply with his desires; and that *Becket's* obstinacy was encouraged by the support he received from *Louis*: hence he imagined that this troublesome affair would never end agreeable to his wishes, as long as the war continued. The hopes which the *French* had entertained of the great advantages they should receive⁴ from the insurrections in *Bretagne*, *Poitou*, and *Guienne*; the resentment of *Henry* against *Guy de Lusignan* for the death of the earl of *Salisbury*, and the difficulty he made of restoring *Lusignan*, without demolishing the new fortifications he had added to the place, had occasioned former treaties of peace to prove unsuccessful: but the power of the revolted barons in those provinces being now broke, and *Guy* having taken the party of going to the *Holy Land*, where he was afterwards raised to the throne of *Jerusalem*, those obstacles no longer remained; and in a conference held in the beginning of this year, on *January 6*, at *Montmirail*, the two kings adjusted all their differences. *Henry* did not care to appear in the posture of a suppliant before the king of *France*, and to do homage for his foreign dominions: it was either to avoid this recognition of his vassalage, or to make a proper provision for his younger children, that he had consigned⁵ *Poitou* and *Guienne* to his son *Richard*, *Bretagne* to *Geffrey*, and *Normandie*, *Le Maine*, and *Anjou* to his eldest son *Henry*, who had likewise the superiority of *Bretagne* vested in him: on which account *Geffrey* soon after did him homage by his father's order. *Louis*, as sovereign of all those fiefs, confirmed this disposition: and the next day, prince *Henry* did homage to his father-in-law, and to the young prince of *France*, *Philip* surnamed *Augustus*, for *Anjou*, *Maine*, and *Bretagne*; having done it some years before for *Normandie*. *Richard*⁶ (who was to marry *Louis's* daughter *Adelais*) did the like homage for *Guienne*: and as *Henry* was now restored to the charge of high-steward of *France*, which had been from the time of *Geffrey Grisegonelle* vested hereditarily in the counts of *Anjou*, he did, on the *Candlemas-day* following, the functions of his office, and served the king of *France* at table, in the same manner as hath been since done by stewards of the

¹ *Chron. Geruaf.* col. 1407.² *Ib.* ep. 13.³ *Ib.* ep. 15, 22, 23.⁴ *Ib.* l. ii. ep. 66.⁵ *Rob. de Monte. Chron. Trivet.*⁶ *Chron. Geruaf.*

household; the great offices of the crown, and household, not being then distinguished, as they were afterwards; probably on occasion of the great officers substituting deputies to act in their absence. In consequence of this treaty, prince *Geffrey* going in *May* to *Rennes*, received the homages¹ of the nobles of *Bretagne*, and the king of *England* not restrained, as far as appears, by any article of it, from doing himself justice upon the revolted barons of *Poitou* and *Guienne*, marched in *Lent* into those provinces, destroyed the castles of his enemies, and forced the counts of *Engoulesme* and *la Marche*, with the lesser nobility, to a submission. This was effected before *August*; when having established the quiet of those parts, he returned into *Normandie*, and built the strong castle of *Beauvoir en Lions*. The king could never reconcile himself to a state of inaction: he was in times of peace always employed in beautifying his palaces, in erecting magnificent buildings, in fortifying his frontiers, in providing for the security of his territories, and in making regulations for the good of his subjects. He now made broad and deep trenches between *France* and *Normandie*, for the better preventing of the frequent depredations committed on the borders of countries subject to different princes: and erected fisheries, with other conveniencies in the river *Mayenne*, for his more commodious residence at *Angers*. The great river of the *Loire* had been in all ages apt to overflow its banks, and spread itself over the adjoining lands, to the destruction of the harvest, and great damage of the country people: and the emperor *Charle Magne*² had in his time ordered dikes (called in the customary of *Orleans*, *Turcies*) to be made for remedying that grievance, and put the work under the inspection of careful intendants. The evil however still subsisted for the space of thirty miles, running from *Angers* higher up the river: and *Henry*, to remove it entirely in that tract of country, raised the high and strong banks (now termed the *Levee*) along the north side of the *Loire*, to keep it within its channel; building houses at proper distances for the habitation of those he appointed to keep the work in order, and granting them special privileges; particularly an exemption from personal service in his armies, and from all payments to his exchequer.

HENRY II.
A. D. 1168.

XVII. THE peace between the two crowns did not produce the like in church affairs; the dispute between the king of *England* and the archbishop³ still continuing, notwithstanding the mediation of *Louis*, who procured several conferences to be held, in hopes of finding a method of accommodation. In that of *Montmirail*⁴, when the peace was ratified and executed in the most material of its articles, the king of *France*, with his prelates, had prevailed upon *Becket*, not to mention the constitutions of *Clarendon*; it not being at all necessary to speak of them, since he as well as the Pope had both already condemned them in writing, and had absolved all from observing them, that had approved them either by their oaths or assent. They had likewise almost persuaded him, to throw himself at the king of *England's* feet, and to refer the terms of their reconciliation to his pleasure, as the most likely way to recover the good graces of a prince of his spirit: but when that haughty prelate was introduced to execute this resolution, he clogged the offer, which he made of submission, with his usual *salvos of the honour of God, and the liberty of the church*. He knew very well how odious and suspicious those exceptions were to the king, and that they could not fail of provoking him: *Henry* accordingly considered them as an insupportable insult, and told him, he would allow of no such subterfuge or artifice to elude a promise. Then turning to the king of *France*, he inveighed severely against *Becket's* pride, arrogance, and designs

Becket's obstinacy and violent measures

¹ *Chron. Gervaf.* ² *Capitular.* l. iv. c. 10. Art. 256. ³ *Vita S. Thomæ, præf.* ep. 95, 96, & seq. ⁴ *Fitz Stephens*, p. 58. *Chron. Gervaf.* col. 1405, & seq.

HENRY II.
A. D. 1169.

to invade all the rights of his crown, and to reject whatever he disliked under pretence of the honour of God: and to clear himself from any intention of derogating from the divine honour, made the following proposal: "There have been" (said he) several kings of *England* before me, some of greater, others of less authority than myself; there have been many archbishops of *Canterbury* great and holy men, before him: let him but pay me the same regard, which the greatest and best of his predecessors paid to the least of mine, and I am satisfied. I did not banish him out of my realm, but he quitted it clandestinely of his own accord: I have been ever willing, and now give him leave to return, to enjoy his see and govern it with the same liberty and privileges, wherewith it was governed by any of his predecessors." The king, the prelates, and the nobility of *France* there present, all declared in favour of the offer; which they judged a sufficient ground of peace, and as much as could be desired of *Henry*: they pressed *Becket* to comply; but nothing could remove his stiffness, or engage him to withdraw his *salvos*. This gave even the prelates and his own clergy, now weary of their exile, a good deal of uneasiness: and the *French* nobility exclaiming against his pride and obstinacy, made no scruple of crying out, that since he refused such reasonable terms proposed by the kings, he deserved the protection of neither, and ought not to be suffered to live in either of their dominions. Night putting an end to the conference, the two princes got on horseback, without so much as saluting the archbishop; and the king of *France* for some days neither made him a visit, nor sent him any provisions: but this seems to have been rather a feint, than a real expression of displeasure; for finding an interest in the troubles of *England*, he soon after treated him with his usual kindness and familiarity. It was in vain that *Henry* sent the bishop of *Seez* and *Geffrey Ridel* to remonstrate against his entertaining in his realm, and countenancing a man, that had rejected the most reasonable terms of peace that could be offered: *Louis* replied¹, "that as the king of *England* insisted upon the customs of his ancestors, so he should himself follow the example of his own; and exercise a right of generosity, which they had transmitted to him from ancient times, by hereditary right, with the crown of *France*, in protecting and relieving exiles; such especially as suffered in a cause of justice." *Becket* was now in a more intimate state of friendship with the king of *France* than ever: and being thus supported, thought he might venture to proceed to those extreme measures; which his passions suggested, and which he had hitherto been restrained from taking by the *Pope's* inhibition. He had, whilst the last mentioned nuncios were in *Normandie*², consented to their relaxing the excommunication against *Geffrey Ridel*, *Nigel de Sackville*, and others of the king's ministers: but it was only for a time, and on condition that the peace between the king and him was compleated by *Martinmas* following, the time fixed for their departure; otherwise, if they did not give the archbishop due satisfaction, they were to relapse into the same censure. The peace being not concluded within that time, *Gratian* set out for *Italy*; whilst *Vivian* staid behind in *France*, to mediate in the peace of the two crowns, and to promote the archbishop's reconciliation. *Gratian* was entirely in this prelate's interest; and it was perhaps owing to his representations³, that the *Pope*, after he had received the king's menacing letter, wrote on the breaking off of the treaty in the last *September*, upon the nuncio's insisting that the clause for *saving the dignity of this kingdom* should be struck out of the agreement, had wrote to *Becket*, "that though it was necessary for him, in his present circumstances, to keep measures with the king of *England*, and not

¹ *Vita pref. Epist. S. Tho.* p. 100. and l. iii. ep. 79. ep. 16.

² *Epist. S. Tho.* l. iii. ep. 32.

³ *Ib.* l. iv.

“allow that prelate to issue any censures either of interdict, excommunication, or suspension against him, or his realm, and any persons therein, till further orders; yet if he and his clergy were not restored to their rights before the beginning of next *Lent*, he gave him leave to exert his legatine powers on whom he pleased, with a bar to all appeals.” The archbishop did not fail to make use of this license, as well against *Geffrey, Nigel*, and the rest who had been absolved for the time specified, as against others, whom he provisionally excommunicated (for seizing his goods, and those of his clergy; for receiving ecclesiastical benefices from the hands of laymen; for hindering his own or the Pope’s messengers from pursuing the business of the church, or for advising or abetting the customs of the realm, in opposition to the ecclesiastical canons) in case the king did not make him due satisfaction before *Candlemas*. He issued likewise, upon the same contingency, a provisional interdict upon the province of *Canterbury*²: and actually excommunicated, without any citation or form of law, the bishops of *London* and *Salisbury*, with several others; threatening many more with the like sentence on the next *Ascension-day*, if they did not in the mean time make satisfaction.

THIS sentence was pronounced against the bishop of *London* on *Palm* Sunday: but was not notified to him till *Ascension-day*; when he was in *S. Paul’s*, assisting at the communion service. The bishop, on the rumour, or in expectation of some such censure, had, in the beginning of *Lent*, made an appeal³, according to the constitution of Pope *Sixtus* in that case, in order to prevent it: and finding it denounced, notwithstanding that precaution, he summoned, on *Saturday* after the *Ascension*, the clergy of *London* to join with him in a new appeal; which they all did, except the canons of *S. Bartholomew*, *S. Martin le Grand*, and *S. Trinity*. This prelate was a man⁴ of great parts, elocution, and capacity for business; wanted no courage to pursue his sentiments, nor any knowledge requisite to maintain them, being eminent in most parts of learning, an excellent governor of a diocese; and so distinguished by his good qualities and uncommon merit, that his reputation was very great in the world; and the archbishop of *Rouën*, with several other prelates, complaining of his treatment, interceded with the Pope in his behalf. The king⁵, who was at *Guienne* at this time, wrote, from *S. Macaire*, to the Pope to annul these rash and irregular sentences of *Becket*: and offering to bear the expences of the voyage, the bishop, about *Michaelmas*, set out for *Italy*, in order to justify his appeal. When he came in his way thither into *Burgundy*, a country, where the archbishop’s residence, at *Pontigny*, had gained him many zealous partizans⁶, he found all the roads so beset with enemies in order to intercept him, that he was forced to change his road, and pass through mountainous countries to *Montpelier*, and from thence through *Provence*, and over the *Alpes* to *Milan*. Upon his arrival at this place, he received from the Pope (whose injunctions for his obeying *Becket’s* censure he had hitherto complied with) a letter⁷ with orders for *Retrou*, archbishop of *Rouën*, to absolve him from it: and this rendering it unnecessary for him to pursue his journey, he made haste back to *Rouën*, and was there absolved on *Easter-day* next following.

THIS prelate had been a few years before the king’s ambassador at the court of *Rome*; and a man of his character and dignity could not want friends, wherever he was known: but this relaxation of the censure doth not seem so much owing to any particular tenderness to him, as to the Pope’s irresolution and temper, which was naturally averse to violent proceedings. The warmth with which the court of *France* espoused *Becket’s* measures, had engaged him to give that archbishop free liberty

¹ *Ib.* l. iii. ep. 33, 34, 35, 36, 37, 38.

² *Ib.* ep. 39, 40, 41, 42, 43, 45.

³ *Ib.* ep. 46.

⁴ See

Wharton De epif. London. p. 68.

⁵ *Epist. S. Thomæ*, l. iii. ep. 49, 50.

Ib. ep. 46, 48.

⁶ *Rac. de*

Dicet, col. 550, 551, 552.

⁷ *Epist. S. Thomæ*, l. iv. ep. 48.

HENRY II. to act as above-related; but when he considered upon how small a matter the treaty for his restitution, carried on by the two last nuncios, had been broken off; and found, that in the conference at *Montmirail*, all the court of *France* had declared with a general consent in favour of the reasonableness of *Henry's* offers; he imagined that the affair might be accommodated without having recourse to extremities. He had to do with a great and wise king, that chose his measures with a better judgment, and executed them with greater vigour, than any prince of the age; beloved by his subjects, esteemed or dreaded by his neighbours; jealous of his honour, tenacious of the rights of his crown, and determined not to part with them on any consideration. The archbishop, clothed with the additional character of a papal legate, had exercised all his authority in denouncing sentences, as well of excommunication against several magistrates by name, and an infinite number of other persons under the general denominations of receivers of benefices from lay-hands, possessors of the goods of his own church, and other exiles' churches, and abettors of the customs and laws of the realm; as of interdict against the whole province of *Canterbury*: but though they had taken place from *Candlemas*, they were little minded in *England*. Divine service was still performed as usual in all churches, unless perhaps in a convent or two; of which however there is no evidence; scarce any body avoided the company, or refused the kiss of the excommunicated; the ministers of justice still put the laws in execution, and administered justice with the same regularity as before; the officers of the revenue went on in collecting the rents of *Canterbury*, and other sequestered churches; the king's presentations in the right of that see, whilst the temporalities thereof were seized into his hands, were duely admitted. In a word, no alteration had happened on the occasion of those sentences, no signs had appeared of any disturbance in that country, or of any opposition to the king's measures, except what might be gathered from the clamours of a few exiles, ecclesiasticks, or *Becket's* relations, who having been supported some years by the charity of the *French* prelates, were now sent back to the archbishop; their benefactors being either tired with the burden, or disapproving that prelate's obstinacy. In this case, there was little encouragement for the Pope to expose his own immediate authority, when his legates had been so much flighted: it was a very dangerous experiment, and, if he failed in the attempt, it might prove the ruin of all the authority his predecessors had usurped of late years, and restore the church of *England* to her ancient liberties and independency on that of *Rome*, which she had enjoyed in all ages before the *Conquest*. These seem to have been the reasons, why *Alexander*, who, by a favourable turn of affairs in *Italy*, was no longer in any dread of the emperor, chose the way of negotiation, for procuring the restitution of *Becket*: and upon the return of *Gratian*, employed the bishop¹ of *Bellay*, and the prior of the *Carthusians* in it; but with the like ill success. He resolved however to make another trial in the same way: and sent a commission for that purpose to *Simeon* prior of *Montdieu*, and *Bernard de Corilo* of the order of *Grandmont*, with powers² not to judge in the case, but only to procure an accommodation; making at the same time an apology to the king (in answer to a part of his menacing letter beforementioned) for the change of his mind in recalling the judicial authority, which he had promised to confer on the nuncios, *Gratian* and *Vivian*.

Another treaty with him fruitless.

XVIII. THIS commission to *Simon* and *Bernard* is dated on *May 25*, at *Benevento*: and was accompanied with two letters, which they were to deliver to the king; the one commonitory, exhorting him to restore the archbishop to his see,

¹ *Epist. S. Tho.* l. iv. ep. 1, 2. ² *Ib.* ep. 3.

and in hopes thereof, suspending this prelate's former censures, with an inhibition HENRY II. to his issuing any new ¹, either on the kingdom, the king, or his subjects, till the A. D. 1169, reconciliation was effected; the other, dated on *May 22*, and styled comminatory, as threatening *Henry* with letting the archbishop loose upon him, to exert all his powers of ecclesiastical censures, but not to be delivered, till it appeared that the first had no effect, and there were no hopes of a reconciliation. The delegates had orders to go together, within two months after the receipt of their commission, if the king was in his territories upon the continent, to wait upon him, to exhort and enjoin him to restore *Becket* to his favour, and to the see of *Canterbury*: but as *Henry* was detained in *Guienne*, till the beginning of *August*, the first conference on the subject seems to have been held some time in that month ² at *Montmirail*; the place where the peace between the two crowns had been lately settled. The king of *France*, with his prelates and barons, were present at it: and joined with the delegates in persuading *Becket* to humble himself to *Henry*, and sue for a reconciliation. It was no small force upon the haughty prelate's temper ³ to comply with this request: and though he made a kind of submission, it was still with his usual exceptions of the honour of God, and his own order. The king of *England* insisting, that he should make an absolute promise for observing the old customs, which former archbishops of *Canterbury* had observed towards the kings, in whose reigns they lived, without any reserve or evasion, *Becket* refused to do so: and persisting in the same resolution in the second conference ⁴, which was held soon after, and in which the Pope's comminatory letter was delivered to *Henry*, the negotiation of the Pope's delegates concluded without any effect; only the king said, he would consult the bishops of *England*, and follow their advice, but fixed no day for his answer, nor gave any other hopes of a reconciliation.

WE see on this occasion the unhappy consequences of deviating from old forms, and of creating new precedents. In the *Saxon* times, the oath of allegiance, taken in the king's court, was common both to the clergy and laity; who, being equally subjects, swore in the same form of words, without any variation: and this form continued after the *Conquest*, till *Anselm* scrupled to do homage to *Henry I.* on pretence of its being ⁵ contrary to some papal decrees and ecclesiastical canons, made since he had done it to *William Rufus*. It is not unlikely, that other prelates might afterwards entertain the like scruples, and to the oath for bearing faith of life, and limb, and terrene honour to the king, add a clause for *saving their order*; by which they reserved to themselves a liberty of adhering to those papal decrees and canons of foreign councils, which, as ecclesiasticks, they conceived themselves bound to obey. This was probably considered at first only, as an harmless expedient for satisfying the tender consciences of some prelates, whom the king was minded to favour, or thought incapable of abusing it, to such a degree, as to make it a pretence for invalidating the substance of their oath; for denying all prerogatives of the crown, which did not suit their inclinations; and for violating the laws of the land, wherever they seemed to clash with papal decrees or canons. Whether this clause was introduced into the prelate's oath of fealty in the reign of *Henry I.* or in the beginning of *Stephen's* usurpation, when the bishops themselves dictated the terms in which they would swear allegiance to him, is not a point easily to be cleared: but they having been indulged in the use of it by connivance for some time, it came at last to acquire a legal countenance by the *constitutions of Clarendon*; in one of which the prelates are said, before their consecration, to take the oath of fealty, *with a saving of their order* ⁶. This furnished *Becket* with a very plausible pretence, for his refusal to swear, in absolute terms, that he would observe

¹ *Ib.* ep. iv. ² *Ib.* ep. 8. ³ *Ib.* ep. 5. ⁴ Ep. 6, 7, 8, 10. ⁵ *Eudmer*, p. 20, 56.

⁶ *Epist. S. Thomæ*, l. iv. ep. 6, 12.

HENRY II. the customs of the king's ancestors: he pretended not to know what these customs
A. D. 1169 were, though he was ready to swear to them with the same saving, as was allowed in the oath of fealty; but did not care to enter into new obligations, not warranted by the practice of his predecessors. He was resolved not to be made an example for loading the church with new tests and new oaths, which might have very pernicious consequences, when come into a general use: and he was the more confirmed in this resolution, because when *Alexander* had absolved him from the oath he had taken to keep the constitutions of *Clarendon*, he had enjoined him at the same time, never to enter into the like obligation in any case, without a *salvo* for his order¹, and the honour of God; and to act otherwise would be a breach of the obedience he had, at the reception of his pall, sworn to pay to the Pope; which he deemed a crime full as heinous, as idolatry. These reasons made such an impression on the audience, that *Henry* was generally condemned for insisting on a new oath, without the usual *salvo*; and the archbishop² of *Reims*, with several other *French* prelates, used their instances with the Pope to support *Becket* in taking the extremest measures.

THE king of *England*, seeing the turn that this affair had now taken, sent agents again to *Rome*, to sollicite³ either the translation of *Becket* to some foreign archbishoprick, or a revocation of his powers to denounce censures, or else a further respite thereof, in hopes of a reconciliation. They succeeded indeed in the last part of their commission: but as *Henry* was uncertain of the event of their negotiation, he thought it proper to send orders into *England* to enforce the regulations made four years before⁴, in order to provide against, what he most apprehended, an interdict. Some small alterations were made in them, such as relaxing the severity of the penalty in certain instances, particularly with regard to persons that offered to land without the king's pass; none that made such an attempt being subject to imprisonment, except the *Welsh*, whose countrymen that studied in *English* schools were to be sent away, to prevent their infecting the king's own subjects with a spirit of mutiny and disaffection. The time for the return of such *English* clergy as were abroad was fixed at *January* 13, as the term, after which it was criminal to make any appeal to the Pope or archbishop, or to observe any mandate of theirs, was at *October* 9; and whoever after the same day, was found bringing any letter or mandate of interdict from either of them, was to suffer punishment as a traitor to the king and kingdom, but not to be executed till after *Martinmas*. In case an interdict was brought over, notwithstanding these precautions, there was another provision made to prevent its effects; all persons that observed it, incurring, with all their kindred, the penalty of banishment, and the forfeiture of their estates real and personal. The sheriffs of counties were directed to take care that all persons throughout the kingdom, fifteen years old or upwards, swore to the observation of these orders: the oath was to be taken in the county-courts by the knights and freeholders; in cities and towns, by the inhabitants; and in villages, by such as did not owe suit and service to the county-court; it being administered to these last by the sheriff's officers deputed for that purpose.

The king allows *Becket* to return.
 XIX. THESE measures of severity were disagreeable to the lenity of the king's nature: and he had scarce given the necessary orders for putting them in execution, when he resolved to get rid at once of this troublesome affair by recalling the archbishop, without exacting from him any oath or promise for observing the constitutions of *Clarendon*. His mother *Maude* had formerly recommended this as the best method of ending it: and *Henry*, either in consequence of his own reflections on

¹ *Epist. S. Tho.* l. ii. ep. 69.

² *Ib.* l. iv. ep. 24, 25, 29.

³ *Fitz Stephens*, p. 62.

⁴ *Chron. Gervaf.* col. 1409.

what had passed in the dispute, or by the suggestion¹ of some of his council (perhaps the archbishop of *Rouen*²) entertaining an opinion, that he could deal better with *Becket* at home, than whilst he was abroad, resolved to let him return into the kingdom. This resolution was so contradictory to what he had declared in the last conferences, that he did not think fit to move for another: but pretending a voyage of devotion to *St. Denis*³, chose to make the proposal in an interview with the king of *France* at *Montmartre*. The prelates and nobility of *France* attending the king on this occasion, and the discourse falling on the liberties, which they all maintained to be compatible with the royal dignities, great instances were used with *Henry* to be reconciled to the archbishop: and he appearing not averse to the motion, the latter, who, not being admitted to his presence, staid in a place adjoining, was prevailed upon to draw up a petition in writing, expressing all his demands. The purport of it was, to desire he might be restored to his see, and the revenues thereof, in as full a manner as he enjoyed them before his exile; that all his clergy, and those who had followed him abroad, might have the benefit of a like restitution to their livings and estates; and that he might have the disposal of all the benefices and prebends in the donation of the see of *Canterbury*, that had fallen vacant during his absence. The king excepted to the last of these articles, as having already filled up those vacancies, and to reverse his own act, was unbecoming the dignity of the crown; and to the demand of restitution, if it included the mean profits of the see, because he had not expelled the archbishop out of the realm: and the seizure of the temporalities having been made according to law, it was not either reasonable or decent, that he should pay back what it was his undoubted right to receive, and revoke the grants he had made thereof to several persons. But as he thought himself bound to follow law and equity, he would submit himself in this point to the judgment either of the king of *France's* court of peers, or of the *Gallican church*, or of the university of *Paris*: and was not unwilling to make the archbishop a present of a thousand marks to defray the charges of his return, and enable him to satisfy his creditors⁴. *Becket* pretended that these mean profits would amount to a large sum: but the king of *France* and all the nobility, as well *French* as *English*, there present, persuading him not to obstruct the peace of the church, by insisting on restitution, he agreed to wave the demand; and only desired some security for the performance of the agreement. Every body representing it as a very indecent thing for him to require security from his lord, he consented to accept of a kiss of peace from the king's mouth: but when the mediators intimated this to *Henry*, he rejected the condition; alledging that he was willing enough to do it, but having sworn in his anger never to kiss the archbishop, though he should be reconciled to him, he could not give him the kiss proposed; which he declined purely for that reason, and not out of any rancour. This refusal looking a little suspicious to *Louis* and the other mediators, they only reported the answer to the archbishop, without offering to persuade him one way or other: and this haughty prelate⁵, desirous of having the glory of forcing the king to perjure himself by his own confession in the presence of so honourable an assembly, insisted absolutely on the kiss; rejecting a reconciliation, which he imagined necessary for the king's affairs, purely for want of that ceremony. Thus ended the conference held at *Montmartre*, on *November 18*; which though it did not produce a peace immediately, yet laid the foundation, upon which it afterwards proceeded, and was at last finally adjusted. The king, to forward it, lost no time in dispatching *John of Oxford*, dean of *Salisbury*, with the archdeacons of *Roien* and *Seez*, as his ambassadors to the Pope, to give him an account of what passed, to represent his readiness

HENRY II.

A. D. 1169.

¹ *Fitz Stephens*, p. 65. ² *Epist. S. Thomæ*, l. v. ep. 14. ³ *Ib.* ep. 1. *R. de Diceto*, col. 550, 551. ⁴ *Chron. Gervaf.* col. 1408. ⁵ *Epist. S. Thomæ*, l. v. ep. 45.

HENRY II. to restore the archbishop, and, by way of expedient for removing the onely difficulty remaining, to propose¹ his eldest son's giving, in his stead, the kifs of peace to that prelate.

A. D. 1170. **ALEXANDER**, pleased to see the peace so far advanced, approved the articles: and on *January 19*, sent from *Benevento* a commission to *Rotrou*, archbishop of *Roüen*, and *Bernard*, bishop of *Nevers* (to whom the archbishop of *Sens* was afterwards joined) to see it perfected and put in execution. Their instructions were, to wait upon the king within a month after the receipt of their commission, and admonish him to give *Becket* the security of a kifs, in token of his reconciliation and resolution to restore him to his see: but if *Henry*² (whom he absolved from his rash oath) should still decline it, they were to persuade the archbishop to accept of the son's kifs, as an equivalent. If the king could not be brought to pay the thousand marks abovementioned, the peace was not to be stopped on that account: but if he did not, within forty days after the commonitory letter addressed to him, perform the other articles which he had promised, they were then, in virtue of the papal authority, to lay an interdict, without any remedy of appeal, on all his foreign dominions, where it was likely to have a greater effect than it had in *England*. They were likewise, not immediately, but at some distance of time after the conclusion of the peace, to require *Henry* to abolish the evil customs that interfered with the liberties of the church, and to restore the mean profits of their churches to the archbishop and his clergy: and whenever they were sure of a reconciliation, they might absolve all that had been excommunicated, but so, that in case it did not take effect, they were to relapse under the same censure. The time of forty days, mentioned in these instructions, was afterwards prolonged, upon advice that the king³, after keeping *Christmas* at *Nantes* (where the prelates and barons of *Bretagne* swore fealty to him and his son *Geffrey*) and settling his affairs in *Normandie*, had gone over in the beginning of *Lent* to *England*; landing at *Portsmouth* on *Tuesday, March 3*, after a very bad passage, his fleet being dispersed in a storm, some ships lost⁴, and that which had him on board escaping with difficulty.

THE king had been four years out of the kingdom, and the sheriffs of counties had continued all that time in their offices, without any inspection into their management, whilst the affair of *Becket* took up all the time and attention of the government: hence had arisen many abuses in the revenue, and grievous oppressions of the people. To remedy these evils, *Henry*, in a great council of his nobility held at *Windsor*, where he kept his *Easter*, dividing the realm into several circuits, appointed a number of abbots, earls, barons, knights, and other commissioners to go through each, and take security from all sheriffs, their bailiffs, or under officers, and the bailiffs of the hundreds of barons, whether they had them in farm or custody, to appear before the king on a day appointed, to answer for their conduct⁵. They were likewise empowered to summon all barons, knights, free-

¹ *Epist. S. Tho.* ep. 3. ² *Ib.* ep. 1.

³ *Ib.* ep. 4. *M. Paris.* *Rob. de Monte.*

⁴ *Chron. Gervaf.* col 1410. *Benedict. Abbas.*

⁵ In case the sheriffs could not come before them in person, they were to send deputies that would answer for them, and give security as well for themselves as the sheriffs, to do what was expected from the latter at the day fixed. This was a previous step to the enquiry, which the commissioners were to make of all persons upon oath, with regard to the following particulars: I. What sums the sheriffs had, in the four years elapsed since the king went last into *Normandie*, received of every hundred, township, and particular man, to the grievance of the publick or of private persons; what they had taken by judgment of the county or

hundred, and what without any judgment; distinguishing them in different lists, with the cause and evidence upon which any thing was so taken. II. What lands the sheriffs or their bailiffs had bought or received in pawn or mortgage. III. How much, and what the prelates, nobility, knights, and corporations of the realm, and their seneschals, bailiffs, and ministers had received upon their lands, for the same time, from their several hundreds, townships, and vassals by or without judgment; putting down all their takings in writing, with the causes and occasion thereof. IV. What and how much the king's officers, entrusted with the rents and profits of vacant prelacies, and the custody of honours, baronies, and escheats, had gained in their employments. V. What had been given in any place

freholders, and others, before them, and examine them upon oath, in order to discover the frauds, extortions, and misdemeanors of those officers, as well as of archdeacons and rural deans, the arrears of the aid for marrying the king's daughter, and the deficiencies of his military tenants in paying their homage and services. The sheriffs in those days had a great power, as well in judicature, which they had enjoyed in the *Saxon* times, as in levying the most considerable branches of the revenue, in which they were employed by our *Norman* princes after the *Conquest*¹: and were in virtue thereof enabled to enrich themselves, at the expence of the crown, and by the oppression of the subject, in ways sufficiently pointed out in the articles of this enquiry. Those officers were much alarmed at so general and unusual an inquisition; they appeared with fear and trembling in the king's court, on *June* 14, the day appointed in their summons: and were almost all of them, both sheriffs and bailiffs, turned out of their offices; which might have had a good effect in preventing future abuses, if some of the number had not afterwards been reinstated in their shrievalties, and, being encouraged by impunity, proved more oppressive than before.

HENRY II.
A. D. 1170.

XX. THAT day was destined for a great solemnity: for assisting at which ² *William* king of *Scotland*, with his brother *David*, had been kept in court from *Easter* (when they came to wait on the king) and all the prelates and nobility of *England* had been summoned to meet at *London* three days before, on the feast of *St. Barnabas*. Prince *Henry* was now in the sixteenth year of his age: and the king his father sending for him over from *Normandie* on a sudden, so that he did not arrive above a day or two before the ceremony³, caused him to be crowned king on *June* 14, being the second *Sunday* after *Trinity*, in the church of *Westminster-Abbey*. There was on this occasion a more numerous assembly of prelates and nobility, than had ever appeared at the like solemnity: and they all, together with the king of *Scotland*, swore fealty the next day to the young king and did him homage⁴. This

Coronation of
prince Henry,
and its conse-
quences.

step

place to the king's itinerant bailiffs or officers. VI. What was become of the goods of such as had either suffered by the assize of *Clarendon*, or fled out of the kingdom on that (i. e. *Becket's*) account; what had been received of every hundred, township, and person: whether any one had been wrongfully accused in that assize, for reward, promise, hatred, or in any unjust manner; or if any accused person had been released, or had his judgment reversed, for reward, promise, or affection, and who received the præmium; what had been received in every hundred and township, and of every man, for the aid to marry the king's daughter, and who received it. VII. What and how much the foresters and their bailiffs, or under officers, had taken for the said term within their several districts, in what manner or on what occasion soever; and if for any reward, promise, or friendship, they had remitted ought of the king's dues, and the forfeitures of forests, or pardoned any that had forfeited on account of harts, hinds, and other game; and if the foresters or their bailiffs, after attaching, taking security, or prosecuting any one, had released him without trial or fine. All persons guilty of these practices were to be noted down, and all accused of any fault were to give security to appear before the king on the day he should appoint, to do right according to law; or for want of such security, to be imprisoned. VIII. Whether the sheriffs or the lords of manors, and their respective,

bailiffs, had returned any thing they had taken, or had made their peace with people, upon hearing of the king's return, to keep them from laying their complaints before him or his justiciaries. IX. Whether any person had, for reward or affection, been excused or abated any thing of what he had been at first amerced, and by whom this was done. X. They were to enquire likewise in every diocese, what, how much, and for what cause, the archdeacons or rural deans had taken from any one illegally, and without judgment; the whole to be written down and noted. XI. The last point of enquiry was, what persons, owing homage to the king, had not done it to him, or his son: and of these a roll was to be made.

¹ *Benedict. Abbas*, p. 3. ² *Ib.* p. 4. *Fitz Stephens*, p. 63. *M. Westmin. Chron. Norman. Hoveden.* ³ *Epist. S. Thomæ*, l. v. ep. 11.

⁴ This homage was performed to the son with a limitation, or saving the fealty due to their lord the king his father^a, so that his power was rather subservient to the old king's, than co-ordinate with it, and in the agreement between *Henry* II, in the twentieth year of his reign, and his sons, the young king and his brothers are said to return all of them into their father's subjection, *ad patrem suum et servitium ejus, sicut ad dominum suum, redierunt*^b. *Richard* and *Geoffrey*, on that occasion, did homage to their father, but when *Henry* was for doing him the like homage, *Henry* II would not receive it, because

^a *Rymer*, t. i. p. 39.

^b *Rymer*, t. i. p. 38.

HENRY II.
A. D. 1170.

step is by most writers imputed to the father's excessive fondness for his son, and censured by most of them, judging of things only by the event, as a weakness and inconsiderate novelty. The frequent undutiful sallies of disobedience, contrary to nature and duty, remarkable in the conduct of the young king, the mischiefs which thence arose, and the troubles he created his father, have indeed afforded a plausible pretence for this censure: but whoever consider the circumstances of the king's dominions and the situation of his affairs at this time, may observe as much policy, as there was passion, in this extraordinary proceeding. It was a practice ordinary enough in *France*; *Louis VII*, then reigning, had, as well as his elder brother *Philip*, been crowned in their father's life-time; and though it was a precaution taken by all the kings of that country from *Hugh Capet* to *Philip Auguste*, yet no inconvenience had been ever found to arise thence in any instance. Their ordinary view was to secure the succession of their eldest sons: but when *Philip I* caused his son *Louis le Gros* to be thus crowned, it was done as the only method that could be taken, for keeping the crown on his own head, and saving the monarchy from destruction. He had, on account of his unlawful marriage and cohabitation with *Bertrade*, been excommunicated by the Pope and by the council held at *Poitiers* A. D. 1100: and though the cardinal legates, that presided in this council, did not perhaps go so far, as Pope *Urban II* had done five years before in that of *Clermont* in *Auvergne*, and threaten to pass the same censure on all his subjects that should give him the title of king, or speak of him as their lord and as such obey him, yet it being unlawful to hold any communication with a person under that censure, he was in a manner incapacitated to exercise the government; his subjects lost all veneration to his person; and the most powerful of them, casting off their allegiance, thought it a plausible pretext for a revolt. In these distressed circumstances, *Philip* caused his son *Louis le Gros*, at the age of nineteen, to be crowned king; thus associating him in the royalty: and the young monarch, styled in his charters, king of *France* by designation, exerted his share of the royal authority with so much temper, vigour, valour¹, and judgment, that he extricated his father out of all his difficulties, and saved *France* from ruin. The king of *England* was now falling into the like situation with *Philip*, and continually expecting, as well to be excommunicated, as to have an interdict laid on all his dominions, by *Becket* in his archiepiscopal and legatine capacities, or by the Pope himself; some of whose predecessors had taken upon them to depose emperors and absolve subjects from their allegiance to princes: and he had no reason to² doubt but his traitor (as he usually styled *Becket*) would push *Alexander* on to follow their example, by treating him in the same manner, as he had lately treated the emperor *Frederic*. It seems to have been a common notion in those days, that princes, lying under an excommunication, had no right, either to the style of king, or to the duty of allegiance. Hence in the convention between *Henry I* king³ of *England*, and *Robert* count of *Flanders*, A. D. 1101, the latter engaged himself in the service of the former, with a saving of his fealty to *Louis* king of *France*; whose father *Philip* was then excommunicated; but in the next convention, made between them two years after, when that censure was taken off, the saving is of the fealty to *Philip* king of *France*. The happy effects of such a coronation of a son in *France* were sufficient to persuade *Henry* to take the like method in Eng-

cause he was a king, and only took security from him. The style of *Louis le Gros*, after his coronation in his father's life-time, was *Ludovicus D. G. designatus rex Francorum*: and that of young *Henry*, in the convention between the kings of *France* and *England* for a crusade, A. D. 1177, is *Henricus rex filius regis Angliæ*, though in several

writs entered in the regilleries of monasteries, it appears, that as the father styled himself *Henricus rex Angliæ pater regis*, so the son's title was, *Henricus rex Angliæ regis Henrici filius*.

¹ P. Daniel. *Hist. de France*, A. D. 1100.

² *Epist. S. Tho.* l. ii. ep. 89. ³ *Rymer*, t. i. p. 1. and in *Pr.*

land:

land: the coronation of young king *Henry* was not only a political precaution to secure the succession to his son, but also a proper ¹ provision (nor is it easy to find out any other so proper) for maintaining the authority of the crown, and the peace of his dominions; since the government must of course have devolved upon the son, if the father should be thought, in that ignorant and superstitious age, to have been excluded by the *Pope's* censures.

HENRY II.
A. D. 1179.

THERE are however some circumstances in this affair, which seem to intimate that the king's passions had an hand in it, as well as his politicks. For after the young ² prince had been knighted by his father early in the morning, the ceremony of his coronation was performed by *Roger* archbishop of *York*, without any protestation to save the rights of the see of *Canterbury*: nor was his wife crowned with him, according to the usual practice, when a king has a consort. The former of these circumstances was an affront to *Becket*, and the latter to the king of *France*; whose daughter *Margaret* by that omission was slighted, and treated as if she had been divorced, or was an unequal match for her husband, and unworthy to share in the solemnity. *Henry* certainly had received the highest provocations from *Becket*: and could not but resent the conduct of *Louis*; who supported and advised that prelate ³ in all his measures, and had solicited the court of *Rome* to denounce her censures against the king, his ministers, and kingdom. But these circumstances are not alone sufficient to warrant a notion of the king's acting out of resentment; since they were absolutely necessary for the execution of a measure, that was of the utmost consequence to *Henry's* affairs and the quiet of his dominions. The king, never caring to leave any thing to chance ⁴, had upon the death of archbishop *Theobald*, got a bulle from the Pope; allowing him to have his son crowned by what bishop he pleased. This was probably done to prevent any dispute about the person who should perform the office, in case the king should think it proper to take that step; though *Becket* maintained, that the license was obtained with a view to prevent the archbishop of *York's* pretending (in case the see of *Canterbury* should be long vacant) to consecrate the new king, preferably to all the bishops of this last province. Whatever was the motive, ⁵ *Roger* archbishop of *York*, desirous to advance the dignity of his see, procured likewise a bulle on July 13, A. D. 1162, about five weeks after *Becket's* consecration, from the Pope then at *Montpelier*; granting him the privileges, of crowning the king of *England*, as some of his predecessors had done, and of having his cross carried erect before him through all the kingdom: and though the latter of these was suspended or restrained to his own province on ⁶ Jan. 21, A. D. 1165, whilst *Alexander* resided at *Sens*, yet the former privilege still continued. *Roger* likewise was a privileged person, being the papal legate for *Scotland*, and not obnoxious to *Becket's* ordinary legatine powers; so that he was on all accounts the person best qualified, and pointed out as it were, to put the crown on the head of young *Henry*. As soon as the coronation was over, the king sent orders to provide a ⁷ magnificent equipage for *Margaret* with all the ornaments proper for the state of a queen; in order to her being brought over to *England*, and appearing there in a manner suitable to her royal dignity. This does not look like a premeditated design of affronting her father: and if nothing of this kind was done before the coronation, and she bore no part in it, this was evidently owing to the absolute necessity of keeping the affair secret, and preventing all opposition to its execution. The young king knew nothing of it himself, till *Richard de Ivelcester* came on Friday June 5, at *Caen*, to fetch him over into *England*, and perhaps not till his own

¹ *Gul. Neubrig.* l. ii. c. 27.

² *Ep. S. Tho.* l. v. ep. 11. 25.

³ *Ib.* l. iv. ep. 19, 20, 21, 22,

⁴ *Ib.* l. v. ep. 52.

⁵ *Ib.* l. v. ep. 24. 45.

⁶ *Ib.* l. i. ep. 10.

⁷ *Ib.* ep. 78, 79.

⁸ *Ib.* l. v. ep. 11. 33.

HENRY II. arrival in this kingdom : and all the measures taken or proposed to obstruct it, were baffled chiefly by this secrecy.

A. D. 1170.

A GENERAL notion ¹ had indeed prevailed for some time, that the king had such a design : but the time of its execution was unknown. *Becket* however had taken all the precautions he could against it, by sending letters to the archbishop of *York*, and ² other *English* bishops, forbidding them either to officiate or assist at the coronation of the young king, and by getting the Pope to send them, on *Feb.* 26, the like inhibition, under pain of being excommunicated or deprived. Some of these mandates had been carried over ³ into *England* : but were there suppressed in the hands of the bearer ; who terrified by the severity of the laws against such an action, durst not deliver them according to the directions. Upon advice of their miscarriage, orders were transmitted to the convent of *Christ-Church*, to issue out a like inhibition, in virtue of the papal authority, to all the suffragans of their church of *Canterbury*, to enter immediately a protestation in favour of its rights, and to make an appeal to prevent the injury designed : but nothing of this kind was attempted by that body, either out of fear of the penalties of the law, or rather out of a dislike to the proceedings of their archbishop ; to whom ⁴, notwithstanding earnest and repeated solicitations, they never sent any present for his subsistence during his exile. To supply these defects, that prelate had taken still another precaution, by sending his own and the Pope's inhibitions to *Roger* ⁵ bishop of *Worcester*, who was then in *Normandie*, and undertook to deliver them ; being summoned into *England* to attend the great council, which was to meet at *London* upon arduous affairs, the chief whereof proved to be the young king's coronation. But whether the queen, and *Richard du Hommet* justiciary of *Normandie* had any notice of his design ⁶, or only suspected him, on account of his attachment to *Becket*, as likely to oppose the coronation, he was scarce got to *Dieppe* in order to embark for *England* ; when he received from them an injunction not to go over, and an embargo was laid on all the shipping in that harbour.

THUS were all *Becket's* measures for opposing the coronation defeated : and when the design came to be known at *London* a few days before it was performed ⁷, there appeared no method of preventing it, but by getting some kind of prohibition from the king of *France* ; who might reasonably insist on his daughter's being crowned at the same time with her husband. It was proposed to send this prohibition, with threats of a rupture in case of non-compliance, without the loss of a moment's time, to queen *Eleanor* and the justiciary of *Normandie* ; who, dreading the consequences, would immediately transmit it to the king, and by this means it would reach his hands : whereas if it were sent directly to *England*, *Louis's* messenger would be detained at the port of his landing, and treated in a very civil manner, but not allowed to proceed to court, till *Henry* was first acquainted with his business. This step, the surest of any to delay the affair, was prevented purely by want of time to put it in execution ; of such importance was the secrecy which the king, resolving to delay his reconciliation with *Becket* as long as possible, thought necessary to be observed in taking the onely measure, which he thought capable of securing him from the ill effects of that prelate's and the Pope's censures. Thus did the archbishop of *York* perform the service of the coronation, without receiving any inhibition from the Pope ; which being his legate for *Scotland*, it would not have been decent in him to oppose. But before I dismiss this subject, it is proper to take notice of another papal mandate, inhibiting all the bishops of *England* from assisting at it, on a very extraordinary account.

¹ *Ib.* l. iv. ep. 36, 37. ² *Ib.* ep. 40, 41, 42, 44, 45, 46. ³ *Ib.* ep. 36. ⁴ *Ib.* l. i.
ep. 154. l. ii. ep. 36. 52, 53. 89. l. iii. ep. 19. l. iv. ep. 34, 35, 36. l. v. ep. 63. ⁵ *Ib.* l. iv.
ep. 40. ⁶ *Fitz Stephens*, p. 63. ⁷ *Epist. S. Tho.* l. v. ep. 11.

IT is not improbable but the king had notice of this, as well as of the others: HENRY II. and had therefore, not to put the *English* bishops that stood by him to any difficulty in case it should have been delivered, taken care that the bishops of *Bayeux* and *Seez* should come over with his son, to officiate on the occasion in all events. The purport of it was to enjoin¹ them all, even the archbishop of *Canterbury*, not to put the crown on the young king's head, or be present at the solemnity; unless he first took an oath to maintain the liberties of the church in general, and of that of *Canterbury* in particular, and absolved all persons from observing the constitutions of *Clarendon*, and from the oaths they had taken for that purpose. *Becket*, it seems, had informed the Pope, that the oath usually taken by the king's predecessors at their coronation, contained in it a promise to maintain the liberties of the church, particularly of *Canterbury*; whereas the coronation-promise made by the *Saxon* kings before, and the oath taken by the *Norman* princes after the *Conquest*, for an hundred years lower than this time, without the least variation, contained only a general assurance² given equally to *the church*, and *the people* of the realm, that they would *preserve both in peace and concord to the utmost of their power*, without any mention at all of *Canterbury*. The liberties of the church, and privileges of the clergy, claimed in the times we are speaking of, were utterly unknown in *England*, nor do we find so much as their name, in the days of the *Saxon* monarchs, when the rite of coronation, and the promise which made a part of it, were introduced: and it must be very gross ignorance, or a detestable prevarication in *Becket*, to impose such a falshood and misrepresentation upon *Alexander*; who believed implicitly all that he offered to suggest.

IN the collection of that prelate's epistles, it is easy to observe, in abundance of places, his deficiency in all kinds of learning, except civil and canon law, and particularly his utter ignorance of the ancient customs, and history of his own country: but it must be a stretch of charity to his memory, to ascribe the misrepresentation here mentioned to an ignorance, which ought to have been accompanied with modesty, and to have restrained him, as he could not but be conscious of it, from asserting what he did not know to be true, at the expence of his veracity. The heat of his temper, the weakness of his judgment, the strength of his passions; his disposition to believe every thing ill of the king, and his hasty credulity in swallowing every report and suggestion spread by his own partisans to *Henry's* prejudice, may perhaps account for the many malicious relations observable in that collection, with regard to the negotiations, proceedings, and engagements³ of the king's ambassadors in *Germany*; the falshood whereof was soon detected: but the like false accounts, with regard to transactions in *England*, will not admit of so natural an excuse. Such was the account given the Pope, that the young king had at his coronation, not⁴ only omitted the usual oath (as he imagined it to be) for preserving the liberties of the church, but had also taken a new one for maintaining the constitutions of *Clarendon*: which put *Alexander*, otherwise a man of great temper into such a fury, that he dispatched immediately to *Becket* sentences either of suspension⁵, or excommunication against all the *English* bishops that had assisted at it, in order to be forwarded to *England*, and there published. *Gilles* bishop of *Evreux*, amazed at the impudence of such a false suggestion, wrote⁶ the Pope word that he had been present at the coronation: and assured him in the most solemn manner, that he heard the young king take the usual oath at the time of his consecration, but not a word of the customs or constitutions; which that prince neither then nor afterwards made any promise to maintain. It was a point of

¹ *Epist. S. Tho.* l. iv. ep. 43. l. v. ep. 52, 66, 67, 68. ² See before p. 392. ³ *Ib.* l. i. ep. 102.

⁴ *Ib.* l. v. ep. 55, 65, 66, 67. ⁵ These are dated the first from *Veruli*, September 10, the second and third from *Ferentino*, September 16. ⁶ *Ib.* ep. 77.

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justice to undeceive the Pope: but the testimony which *Gilles* bore to the truth on this occasion, was too honest a part for *Becket* to imitate. It was too great an humiliation for this haughty prelate to contradict himself, and own the falshood of his information, though he could not but know it as well as the other: and yet it was not proper to let the Pope's sentences, grounded upon a mistake, pass into *England*, where thousands could attest the falshood. To avoid therefore so mortifying a part to himself, and to save at the same time *Alexander's* character from suffering¹, when he had received his letters, with the censures aforesaid, he waved saying any thing of the falshood of the account of the young king's omitting the usual oath, and of his swearing to the constitutions of *Clarendon*: and choosing rather to represent how improper it was to insist on those two acts (which he still insinuates to be actually done, but in which the king himself was most to blame) when a peace was so near being concluded, desired the Pope to leave them out of his sentences, and only insist on the injury done the see of *Canterbury*, by the metropolitan of *York's* officiating at the coronation, not in his own, but in the former, province. The Pope accordingly amended² his letters for the suspension as well of the archbishop of *York*, as of the bishops of *London* and *Salisbury*: and insisting only on that injury, whereof (he says) he had received a certain account, sent them afterwards to be published; the former (as it appears in the collection) without any date; the latter wrote on *November 24*, from *Frascati*. Whoever considers *Becket's* behaviour in this matter, however he may be inclined to applaud it as artful and agreeable to the maxims of a *Roman* politician, will find little in it of the primitive simplicity of a *Christian* bishop: and will thence form no advantageous opinion, either of the fairness of his proceedings in this particular case, or of his veracity and modesty in any.

The king's
interview and
reconciliation
with *Becket*.

XXI. WHILST the king was detained by this and other affairs in *England*; the Pope's legates were waiting for him in *Normandie*; ³ *Bernard* bishop of *Nevers*, having arrived at *Caen* the very day, that *Richard de Ivelcestre* came thither to fetch prince *Henry* over to be crowned. He brought with him the Pope's terms of peace in *Becket's* affair, with his comminatory letters in case they were not accepted: but neither he, nor *Rotrou* archbishop of *Roüen*, offered to cross the sea; relying upon the king's assurances, that he would soon be with them in *Normandie*. ⁴ *Henry* accordingly passed over thither about *Midsummer*: and about *July 6*, met *Theobald* count of *Blois* at *La Ferte Bernard*, to confer with him about an accommodation with the king of *France*; who being highly incensed at the affront put upon his daughter, threatened an invasion of his territories. There was no great difficulty in the affair; the king of *England* being ready to make a proper satisfaction for it: and all things were entirely settled in a conference between the two kings, on *July*⁵ 20, and 21, at a place between *La Ferte*, in the *Pais Chartrain*, and *Fretterval*, a castle in *Touraine*. The legates had been the *Thursday* before at *Sens* with *Becket*, to acquaint him with the readiness they had found in *Henry* to be reconciled to him, to restore his see, and excepting the kiss, to shew him all other marks of his favour: and with the assistance of the archbishop of that city, prevailed upon him to wave insisting either on that condition, or on the restitution of the mean profits, and to go with them to the conference. When the affairs of the two crowns were settled, *Henry* and *Becket* met early in the morning, on the feast of *S. Mary Magdalen*, at the same place, in the presence of count *Theobald*, and a great number of the *French* nobility; *Louis* himself being absent on this occasion, that the king's mercy to one that had offended him in so high a manner, might appear the more free and unconstrained. The king, at the archbishop's

¹ *Epist. S. Tho.* ep. 52.

² *Ib.* ep. 34, 68, 69.

³ *Ib.* ep. 11, 46.

⁴ *Benedict. Abbas*, p. 5.

⁵ *Epist. S. Tho.* l. v. ep. 45, 46.

approach, advanced to meet him, received him with the best grace in the world: HENRY II.
A. D. 1170. and to the amazement of all the audience, talked to him with as much ease, familiarity, and kindness, as if they had never been at variance. When the first salutes were over, and they had conferred some time with the archbishop of *Sens*, apart from the rest of the company, they retired by themselves: and passed the greatest part of the day in private discourse. When other points were settled, *Becket* proposed to the king, that he would make satisfaction to the church of *Canterbury*, whose rights had been invaded by the archbishop of *York's* crowning his son: and with some mistakes about *Stigand*, and the consecration of *Henry I.*, endeavoured to answer the objections, which *Henry* made to the rights of *Canterbury* in that particular. The king seems to have been of opinion, that he had a right to appoint the place of his coronation, and to choose what bishop he pleased to perform the office¹; a right which the kings of *France* had frequently exercised, being crowned in different places, by different metropolitans, and sometimes by private bishops, as best suited their affairs and inclinations; notwithstanding the pretensions of the primates of *Roms* to the sole right of presiding in their coronation.

In *England* indeed, from the time that the rite of unction and a coronation service were introduced by *Alfred*, there had been many variations as to the place, though it was always in the province of *Canterbury*, but none as to the character of the person who performed them; the archbishop of that see having always done it, except in the cases of *Harold*, *William the Conqueror*, and *Henry I.* *Becket* endeavoured to account for the two latter deviations from the common practice since the *Conquest*, upon which he founded his claim: and mentioned the² apology which the last of those princes had made to *Anselm*, for being forced, in the unsettled state of the realm, to be crowned in his absence, and the satisfaction which he made him, by a publick declaration before all his court, of the right of the church of *Canterbury* to crown the kings of *England*; a satisfaction which *Anselm* accepted, and afterwards (without repeating the solemnity of a coronation, as *Becket* erroneously supposed) exercised his office in putting the crown upon the king's head, when he held his court on solemn festivals and occasions. *Henry* did not object, that when his grandfather made this declaration, he was, by the distress of his affairs, under a necessity of complying with all *Anselm's* demands: but protesting, that he had no design either to dispute or to lessen the dignity of the church of *Canterbury* which he was desirous rather to advance, assured him that he would make her satisfaction; and as the king of *France's* daughter was not yet crowned, he should perform the solemnity of her coronation, and put the crown at the same time upon the young king's head; with an acknowledgment of the right of the church of *Canterbury* to perform that office. The archbishop, transported at the king's goodness, dismounted and threw himself at his feet: *Henry* alighting in haste, took him up and helped him to remount on horseback; and both going together to the company, declared their reconciliation. The king then freely extended his grace to the clergy who had followed the archbishop in his exile: but when the bishop of *Lisieux*, at the instance of *Geffrey Ridel*, archdeacon of *Canterbury*, applied to *Becket* for granting a like pardon to such as had adhered to the king, he eluded the request by a parade of frivolous distinctions; which would have produced some warm expostulations, had not *Henry*, to prevent any revival of animosities, drawn him away from the company, and put an end to the conference. The king would have had the archbishop go along with him immediately into *Normandie*, undertaking to provide there for his support, and that of his retinue: but *Becket* declined the offer, under the pretence of its not being decent to part so abruptly with the king of *France*, and his other benefactors; though the true reason

¹ *See Carnotens, Epist.* 189.² *Ib.* ep. 45.

HENRY II. was, because he had a mind to wait the return of the agents he proposed to send to take possession of his goods and revenues in *England*, resolving not to go to the king, as long as one foot of the land of his fee was detained.

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HENRY¹ returning from the conference into *Normandie*, was seized soon after at *La Mote-Garnier*, near *Danfront*, with a very dangerous illness, which reduced him so low, that there were little hopes, of his recovery; and he made his will, deviling *England*, *Normandie*, and *Anjou*, to his eldest son (whom he charged to provide for his brother *John*) *Guienne* to *Richard*, and *Bretagne* to his third son *Geoffrey*: but getting at last the better of his distemper, he went, about *Michaelmas*, on a pilgrimage to *St. Marie of Roque-Madour*, in *Quercy*. This severe illness occasioning a delay in signing the powers necessary for the archbishop's agents, it was the latter end² of *September*, before they arrived in *England*, with *Henry's* orders to his son to deliver them possession of all the lands and rents which had belonged to that prelate and his clergy three months before he quitted the kingdom, and likewise of such part of the honour of *Saltwode*, as should, upon an inquisition, be found to be held of the see of *Canterbury*. *Becket's* impatience could not brook this delay: and being always of opinion, that nothing could make the king comply, but an immediate dread of the censures of the *Vatican*³, he had by himself and friends used all manner of instances with the Pope, to denounce them without loss of time against the king's person, and all his dominions. *Alexander* hereupon issued his bulls⁴; declaring the persons formerly excommunicated to be relapsed under that censure, and denouncing an interdict against the kingdom of *England*, and all *Henry's* foreign dominions, if satisfaction were not, within twenty or thirty days after the commonition, given to the archbishop⁵; who took care to dispatch his orders to all the *English* prelates, to see these censures duly executed in their several districts. It was what the king expected would follow the sentences of suspension abovementioned, denounced in the month of *September* against the archbishop of *York*, and the other *English* bishops that had assisted at his son's coronation: and being naturally averse to run any hazard which he might prevent, did not care to wait the effects, which they were likely to have upon his affairs. Thus seeing no remedy, but an immediate execution of his agreement with the archbishop, he appointed a meeting with him on *Monday*⁶, *October* 12, near *Amboise*; where, by the mediation of the king of *France*, it was agreed that the young king should, in his father's stead, give him the kiss of peace: and every thing was settled for *Becket's* setting out from *Sens* on the first of *November*, in order to return into *England*.

THE king of *France*⁷ thought it dangerous for him to go over without receiving that mark of amity and favour from *Henry* himself: and several things, which though of little moment, were much exclaimed against by his followers, too proud and hasty to wait the course of the law, concurred to dissuade him from the voyage. When his agents⁸ had, on *Monday*, *October* 1, their audience of the young king at *Westminster*, and expected to have had immediate possession given them of the archbishop's houses, goods, and lands, they were put off for a fortnight, till notice was given to the officers, in whose hands they were sequestered, and who could not, in less time, remove their stock and effects. His clergy were generally restored to their benefices, but there were two livings still detained: and some difficulty was made in the turning out of the clergy, who had been presented by the king to churches belonging to the see of *Canterbury*, that had fallen vacant, whilst the temporalities were in his hand, and in the admission of those that were now collated

¹ *Benedict. Abb.* p. 5, 6.

² *Chron. Gervaf.* col. 1413. *Epist. S. Thomæ*, l. v. ep. 43, 53. ³ *Ib.*

ep. 28, 29, 31, 40, 41.

⁴ These are dated either from *Anagni* or *Segni*, on *October* 8, 9, or 13.

⁵ *Ib.* ep. 30, 35, 36, 37, 38, 39.

⁶ *Benedict. Abb.* p. 7. *Epist. S. Thomæ*, l. v. ep. 63.

⁷ *Fitz Stephen*, p. 69.

⁸ *Epist. S. Thomæ*, l. v. ep. 53, 54, 64, 73.

to them by the archbishop; nor did the king's writ contain any warrant or directions for that purpose. The king's ministers, who had possession of his lands, were extremely diligent in getting in all the rents due at the feasts either of *S. Michael* or *S. Martin*: and in receiving all that part of the profits of his manors, which consisted in provisions for his household. *Joannes Sarisburiensis* (whom he had sent over after the other agents, and in the middle of *November*) had indeed been allowed to preside as his commissary, in a synod at *Canterbury*: but the power of his enemies was very great, and the prelates of *York*, *London*, and *Sarum* had represented to the king, that the accommodation would appear dishonourable, if the incumbents he had legally named to the vacant churches, were not maintained in their possession, and that he ought not to admit *Becket* to enter the realm, unless he renounced his legatine authority, delivered up all the letters and bulls he had procured from the Pope, and promised to observe inviolably the laws of the kingdom; these last precautions not being much unlike what are taken in *France*¹, and other Roman-catholick countries, when a legate is admitted.

THERE was still another point, which though an exercise only of the king's undoubted right, *Becket* still deemed a grievance to himself, and was the more affected with it, because it dashed the hopes he had conceived of aggrandizing himself at the expence of the crown, and defeated a scheme he had formed to acquire an uncontrollable power in ecclesiastical matters, and perhaps in consequence thereof to assume the principal direction of the affairs of the kingdom. This was the natural consequence of having a number of prelates (who were in those ages the chief ministers in state affairs) attached to his interests, as well as subject to his authority: and it having been for a good while a matter of clamour to those of his faction, that the king kept several prelacies vacant, though if he had filled them up with persons consecrated by any other than himself, it would have been still more vehemently exclaimed against, as an invasion of the metropolitical rights of the see of *Canterbury*, *Becket*² got the Pope to press *Henry* to fill up the vacant sees, and leave the choice of the persons entirely to the archbishop and the ecclesiastical power. There were six now vacant: and the king resolved to fill them up before this prelate's return, as well to guard against his ambitious designs, as to prevent any new dispute about the ecclesiastical liberties, on account of the free manner of elections appointed by the papal canons; which he had good reason³ to think *Becket* would insist on, notwithstanding the received usages of the church of *England*. The king, by common right as founder, had in all times enjoyed the sole right of presentation to prelacies, till the dispute about lay-investitures in the reign of *Henry I*: but upon the accommodation of that dispute, the choice of the chapter or convent becoming a necessary condition, it was made not by the suffrages of all the monks or canons, but (by what was called the way of compromise) by a deputation from the body to some of their number, to proceed in their name to an election. This was done pursuant to a writ from the king, requiring them to come to his court, and there make choice of a proper person, with the approbation of the bishops attending him on that occasion: and when these deputies had agreed with the bishops in the nomination of a proper person, or in the recommending of three, for the king to choose one out of them, the royal assent rendered the election complete. Some instances of this method of election, particularly to the see of *Canterbury*, have been already mentioned in this work: and it is easy to produce a multitude of others, were it necessary to shew that this was then the customary manner of election. The king had no *English prelate* about him in *Normandie*, but the bishop of *Worcester*: and therefore sent orders for the prelates of *York*, *London*, and *Sarum* to come to him there⁴, with six deputies from each of the chapters of

¹ See *Thuan.* *Hist.* l. iii. and viii. ² *Vita S. Tho.* ep. 55. ³ *Ib.* ep. 65, 53. ⁴ *Dict.* col. 554.

HENRY II. the vacant sees, in order to make choice of persons to fill them, that were well-affected to the rights of the crown, and the laws of the kingdom. Such¹ was *Geoffrey Ridel* archdeacon of *Canterbury*, a man of great quality, estate, and abilities, considered by *Becket* as the bitterest, because the most capable, of his enemies, and styled by him, in the usual language which his pride dictated, *the arch-devil, and a limb of anti-christ*; who being chosen to the vacant see of *Ely*, was enthroned and received the homages of his vassals, before he was consecrated, and died chief justiciary of all *England*. Such was *Reginald*², son of the bishop of *Salisbury*, who having been employed like the former by the king in several embassies for maintaining his cause against the same turbulent prelate, was elected to the church of *Bath*: and with such, were the other sees filled; though *Becket's* unexpected death caused a delay of some years in their promotion and consecration.

Becket's return to England and proceeding there.

XXII. WHILST the archbishop continued abroad, he was subsisted by the king's enemies, and acted by their advice or direction: this³ made *Henry* uneasy at the rejection of his offer to provide for that prelate in *Normandie*, in case he would go with him thither, and (as he was on the point of a war with *France*) it now made him press his speedy return into *England*. *Becket*, being re-instated in the possession of his see, had no pretence to delay it longer: and setting out from *Sens*, full of his schemes of power, as well as of the revenge he meditated, when he rejected the motion of the bishop of *Lisieux*, for giving a like remission to the king's adherents as the king had freely given to his, came to *Roijen*, where he expected to find *Henry*. This prince⁴ had lately paid a large sum of money to *Henry de Vienne* for the purchase of *Montmirail* and the castle of *St. Agnan* in *Berry*, in order to increase his power in this province, which was an appendage of the duchy of *Guienne*: but this step had like to have brought on him a war, as well with *Theobald* count of *Blois* who claimed those places by no very good title, as with the king of *France*, who marched with an army to support⁵ the count's pretensions, to assert his own claim of a superiority over *Berry*, and (as it was apprehended) to invade *Auvergne*. *Henry*, about Nov. 23, had advanced with another near *Bourges*, expecting it would be delivered to him by the inhabitants: but finding his enterprize disappointed, by the *French* forces being there before him, agreed to a truce with *Louis*. This was the occasion of the king's absence; when⁶ *Becket* arrived at *Roijen*, and there found *John of Oxford* dean of *Salisbury*, sent by *Henry* to attend him into *England*: where passing with a favourable wind from *Witland*, he arrived on Tuesday Dec. 1, landing at *Sandwich*. *Gervase de Cornbill* high sheriff of *Kent*, and *Reginald de Warenne*, both itinerant justiciaries, were there with a number of armed followers, to see the king's orders for the guard of the ports, and the search of passengers duly executed: and the archbishop himself must have undergone their examination, if *John of Oxford* had not brought them the king's orders to the contrary. They treated his clergy and domesticks with the like politeness: but it was with some difficulty they were persuaded not to put the laws in execution against⁷ *Simon* archdeacon of *Sens*; who came over with him under pretence of visiting his friends, but more probably as an agent for *French* measures; all foreigners that landed without the king's pass, or refused to take the oath of allegiance, being by the late regulations, to be taken into custody. This indulgence was the more extraordinary, because they were extremely irritated at a violent step, which the archbishop had just taken, and which made them conclude, he was come not for peace, but to throw the nation into confusion.

¹ *Angl. Sacr.* I. 631, 632. *Diceto*, col. 552.

² *Ib.* 561, 562.

³ *Fitz Stephens*, p. 70.

⁴ *Rob. de Monte. Bened. t. Abb.* p. 9.

⁵ *Ep. S. Tho.* I. v. ep. 44.

⁶ *Fitz Stephens*, p. 71.

⁷ *Ep. S. Tho.* I. v. ep. 64, 73.

WHEN the king promised at the conference near *Fretteval*, that satisfaction should be made to the church of *Canterbury* for the invasion of her rights in the coronation of his son, he never imagined that the archbishop would insist on any thing more than was there proposed to be given, by his crowning the young king again at the solemnity of his wife's coronation, and by a publick declaration of the right of the church of *Canterbury*. It was what the king of *France* had accepted for reparation of the affront offered his daughter; *Anselm* in the like case had been contented with less: but *Becket*, implacable in his resentments, would not be satisfied with securing the rights of his church; his own furious passions were to be gratified by an ample revenge on all that had been concerned in the late coronation. Whether pride or policy suggested measures so unsuitable to that spirit of reconciliation, which had so lately appeared in the king, and ought to have been mutual, he resolved to enter the realm like a conqueror; breathing fire and sword against all he deemed his enemies; perhaps to intimidate every body from daring to oppose his future measures. He had brought with him the censures, he had procured from the Pope, against all the bishops that had offended him by assisting at the coronation: and having advice whilst he was at *Witсанд*¹, that the prelates of *York*, *London*, and *Sarum* were, in obedience to the king's orders, come to *Dover*, he dispatched a young man, the day before he sailed himself, with letters to them; notifying the suspension of the first, and the excommunication of the two latter. He was in the more haste to begin with these, because they were going over to his majesty, in order to assist at the elections to the vacant sees, with *Geffrey Ridel*, and *Richard* archdeacon of *Poitiers*, two of the persons proposed to fill them: and he hoped to defeat the king's design, by incapacitating them to act in that affair. Upon notice of these censures, and advice of the archbishop's arrival at *Canterbury*, the bishops signified to him, that they appealed to the Pope, notwithstanding the prohibition: and the justiciaries abovementioned waiting upon him, desired him, in their own name, and charged him by publick authority to take off the censures, under pain of being declared a publick enemy of the king and kingdom, for violating the laws, and attempting to deprive the young king of his royal dignity. *Becket*², though he had full power to relax the sentences, inflicted for an injury to his own see, pretended that, being an inferior, he could not regularly take off the censures of a superior: yet he would stretch a point and absolve the bishops of *London* and *Sarum*, if they would swear to obey the Pope's mandates. This the justiciaries representing as impracticable, such an oath being contrary to the laws of the realm, the archbishop persisted in his refusal: and the three prelates³, thinking it ought not to be taken without the king's leave, pursued their voyage to *Normandie*; continuing near a year under their respective censures⁴.

BECKET had brought over three fine horses⁵ for a present to the young king, whose taste nothing could suit better: and not doubting of a good reception from a prince, some of whose younger years had been spent under his eye, set out from *Canterbury*, after a week's stay there, in order to wait upon him at *Woodstoke*; being, as he passed through *Rockefter* and entered *Southwark*, received in both places with solemn processions and hymns of thanksgiving. Such triumphant entries, at

¹ *Ep. S. Tho.* l. v. ep. 64, 73. ² *Ib.* ep. 68.

³ *Ib.* ep. 85, 86, 87.

⁴ They sent agents to the court of *Rome*, and their censures would have been taken off immediately, if it had not been for the news of *Becket's* death (*Ep. S. Tho.* l. v. ep. 94.) The Pope's communion to the archbishop of *Reims* and the bishop of *Amiens* (*Ib.* ep. 85) to take off the suspension of the archbishop of *York* is dated at *Frascati*, Nov. 23, A. D. 1171. The bishop of *London's*

excommunication was taken off by the bishops of *Nevers* and *Beauvais* and the abbot of *Pontigny*, papal delegates, in the beginning of *August* the same year (*Dueto*, col. 557.) but his suspension continued some time longer. They were all forced to swear that they were entirely innocent of *Becket's* death, and the first was obliged to take a like oath, that he had not received the Pope's inhibitory letters, before he crowned young *Henry*.

⁵ *Fitz Stephens*, p. 74, 75.

HENRY II.
A. D. 1170.

which no considerable persons, and only the populace, assisted, flattered his pride; but were very unbecoming a man, who had just received the king's pardon for crimes of the highest nature; and being allowed to return home upon a reconciliation, had broken the conditions, violated the laws, and insulted the royal authority in the most tender point at the moment of his entering the kingdom; the peace whereof was endangered by such insolent parades and mobbish assemblies. After the conduct he had observed, the young king knew not how to treat him, without fresh instructions from his father: and sent *Jocelin de Lovain*, brother to the second wife of *Henry I*, and ancestor to the great family of *Percy*, to stop his progress through other cities of the realm, and order him back to his diocese. *Becket*¹ had proposed to go through his province with the same equipage as he had come to *Southwark*, attended by all the knights that held of his see, and a great number of armed followers, as if he had a view of seizing some castles; though his biographers say, he designed only to reform abuses and eradicate the ill weeds, which had grown up in his absence; probably (since he could do it in no other way) by suspending or depriving the clergy and excommunicating the laity, who had adhered to the king's cause and observed the laws of the kingdom, where they interfered with papal decrees. He was setting out from the bishop of *Winchester's* palace in *Southwark* upon this visitation with his unbounded legatine authority, when he was served with the king's orders to return to his see: he thought fit to comply in some measure, but said with an unparalleled arrogance, that he would not have obeyed the mandate, had it not been for the near approach of *Christmas*, and he had a mind to keep that festival at his own church of *Canterbury*. Nor did he return immediately, but, to shew his contempt of the royal authority, went to his manor of *Harowe* in *Middlesex*; where he staid several days, till² the holidays approaching, he went at last to *Canterbury*. As he returned thither³, he dismissed the greatest part of his retinue, retaining only five knights about him for his guard; and these too he sent away when he came to his own palace, where he remained quiet till *Christmas Day*: but then mounting the pulpit, after a sermon calculated to move the people, and an invective against the opposers of his measures, he excommunicated *Nigel de Sackville* and *Robert de Broke* by name (this latter for cutting off the tail of one of his sumpter horses) with a great many of the old king's ministers, officers of the household, justiciaries, and the most considerable persons in the kingdom.

His death.

XXIII. Advice of these and other proceedings was carried abroad to *Henry*, who was before sufficiently⁴ provoked by the account he had received of the censures laid upon the three prelates; and now seeing that step was but a prelude to the like censures upon other bishops, and upon all that had employments under him, could not help complaining, that his whole realm was disturbed; that his crown was struck at; that *Becket*, in virtue of his legatine powers, assumed a superiority over him; and had even got a privilege from the Pope, to dispose of all churches, the advowson whereof belonged either to the crown or the nobility. The king was keeping the feast of the nativity at *Bures* near *Bayeux* in *Normandie* with his prelates and barons about him, when he broke out into these and other complaints against the tyrannical proceedings of the archbishop; lamenting his misfortune in having raised a man from nothing, to be the plague of his life and the continual

¹ *M. Paris. Vita pref. Ep. S. Tho.* p. 116, 117. Provinciam a qua tam diu absens fuerat circuire properans, & anhelans ad discurrendum ubique, ut evelleret & eradicaret quae in absentia sua in horto Domini distorta & incompolite excreverant.

² *M. Paris.* p. 123. and in *Vit. Abb. S. Albani*, p. 91. ³ *Ib.* p. 118. *Fitz Stephens*, p. 76, 77.

⁴ *Ib.* p. 79. & seq. *M. Paris. Vita pref. Ep. S. Tho.* p. 120, 121.

disturber

disturber of his government. It was said by one of the court, that he could not expect a quiet hour, nor his kingdom enjoy any peace, so long as *Becket* was alive; and the king's countenance and gesture discovering a great commotion of mind, four barons, or (as they are called) knights of his household, *William de Tracy*, *Reginald Fitz Urse*, *Hugh de Moreville*, and *Richard Brito* imagined, that he would not be displeased, if the archbishop was dispatched. Whether they designed, or no, to kill him, they swore to revenge the king's quarrel; left the court privately on *Dec. 26*; took shipping at different ports; and, what is very surprising, met the very next day, and about the same hour, at the castle of *Saltwode*, six miles from *Canterbury*. They had not kept their design so secret, but they were suspected of an ill one¹: and the king being told of it, after their departure, dispatched away messengers immediately to overtake them and forbid their doing any violent action; but they did not arrive soon enough to prevent its execution. The king in the mean time had considered with his council, what method was fit to be taken with the archbishop, to prevent the mischiefs likely to ensue from his furious measures: and rejecting the harsh advices of some, who were for putting him to death, as a traitor, resolved however to have him taken into custody. *William de Magneville*, earl of *Essex*, *Saier de Quincey*, and *Richard du Hommet*, were charged with this commission: and the last of these passing into *England*, sent to *Hugh de Gundeville* and *William Fitz John*, counsellors to the young king then at *Winchester*, to bring with all possible secrecy a party of knights from court to arrest the archbishop at *Canterbury*; whilst himself kept watch on the sea-coast, to prevent his embarking at any port, and the two first did the same on the other side of the water at ² *Witland* and another harbour, to seize him if he escaped thither. These measures, for proceeding against *Becket* in a legal way, were prevented by the haste, which the four knights or barons abovementioned made to execute their purpose; in which they were much confirmed by *Ralf de Broke*; who summoning to his castle of *Saltwode* twelve other knights for their assistance, went with them to *Canterbury*. The chief business of these assistants seems to have been the keeping of³ the citizens quiet, whilst the four first knights, entering the palace with their followers, secured the great gates, and seized two or three knights of the archbishop's family. Then going to that prelate's apartment, they had a warm expostulation with him about his conduct; in which many bitter reproaches passed, that inflamed them to the highest degree: though *Fitz Stephens*⁴ says, what seemed most to incense⁵ them was, his maintaining that he had the spiritualties of his see from the Pope, denying that he held any thing of the king, but the temporalties, and upbraiding three of them with having been retained in his service, whilst he was chancellor. They were as yet unarmed⁶: and whilst they were putting on their armour, the archbishop might have saved himself, if he had not either presumed that they durst not hurt him on account of his character, or aspired to the glory of a martyrdom. The fears of the monks and clergy about him could not prevail with him to stay away from vespers; he passed through the cloister of the convent into the church, followed by the assassins: and receiving four wounds in the head, dropt down dead on *Tuesday Dec. 29*, before the altar of *St. Benedict*.

Thus died *Thomas Becket*, the victim of his own pride, obstinacy, and revenge, the strong and violent passions that constantly engrossed his mind and leavened all

¹ *Vita pref. Ep. S. Tho.* p. 143, 144.

² *Fitz Stephens*, p. 90. ⁴ P. 82, 83.

⁵ In the Life prefixed to *Becket's Epistles*, p. 123. it is said that he declared in this conference, that he would never take an oath to the young king for

the barony he held, nor should any of his clergy take an oath to him, and that he would, as an archbishop, do himself justice in spite of any mortal.

⁶ *Gul. Neubrig.* l. ii. c. 25.

HENRY II. his actions : and which having created him abundance of enemies, put them likewise upon desperate measures to screen themselves from his fury ; being persuaded, that no quarter was to be expected from a man, whom all the world knew to be implacable. His unmeasurable pride and lust of power rendered him impatient of any superior, unable to bear the least contradiction, and fond of having the direction of all affairs, whatever post he was in, whether civil or ecclesiastical. The same passions made him furious in his measures, inflexible in his resolutions, and incapable of being diverted by any consideration from the pursuit of any point, he had once, however rashly or unadvisedly, undertaken : and put him upon treating all that opposed him with a virulence of language, an haughtiness of behaviour, a rigour of punishment or severity of vengeance, which neither suited the character of a *Christian* bishop, nor could be endured by any body, without the keenest resentment. Had he consulted reason or modesty in the conjectures he threw out of others designs, they would have been less uncharitable, or have appeared less positive ; and had he confined himself to truth, in his invectives, they would have been less criminal : but he seems to have thought himself authorized to pronounce as certain, whatever his warm imagination suggested as probable ; and to advance any falsehoods that would serve his cause, promote his views, or help to gloss over his conduct. It is easy to produce many instances of such falsehoods used by him to blacken the character of a great king, whose favour raised him to an unmerited grandeur, out of those very epistles of his, which it was thought proper to select and preserve as most favourable to his character and cause ; though, taking away the pompous declamations with which they are filled, and the cant terms of the *Divine Laws* and the *Law of God* (usually in those ages substituted instead of *papal* or *ecclesiastical* canons, which is their true meaning) that run throughout them, they furnish but a very wretched apology for his actions. He died in the luckiest time in the world, and in the most advantageous manner that could be imagined, for the sake of his reputation ; his death preventing those measures he was resolved to take, though they could not fail of making his country a dismal scene of confusion ; and his murder throwing a veil on those parts of his character and conduct, which else would have conveyed his memory down to future ages with infamy.

It was not without reason, that *Henry* was jealous of his long stay in *France* after their agreement, much too long for making compliments to all his friends at parting : though perhaps not so, for concerting measures with *Louis* to distress the king's affairs and disturb the peace of his dominions ; of which *Henry* seems to have had some intelligence. *Becket* ² owns in his own letters, that he took all his measures by advice of the court of *France* and in concert with *Louis* : and when he entered into that agreement, or (as it is styled) peace with *Henry*, he did it without any peaceable dispositions, and with a formed resolution, scarce consistent with sincerity, of extorting further concessions from his prince, and of forcing him to give up what rights of the crown and laws of the kingdom, he should think fit to censure, as restraints upon the liberty of the church, and inconsistent with the papal supremacy. The paper which he presented at the conference near *Fretterval*, when that peace was made, containing his demands, as the conditions thereof on his part, concluded with a fraudulent promise “ of paying *Henry* all the honour “ and duty that could be paid to a king and prince by an archbishop *in the Lord* ; ” such was the reserve or pretence he proposed to make use of, whenever he pleased, to elude that promise, and violate that duty. His demands were, to be restored to the king's favour ; to be re-inflated in the lands and possessions of the see of *Canter-*

¹ *Epist. S. Thomæ*, l. v. ep. 44.

² *Ib.* ep. 45.

bury according to a schedule, wherein they were specified; that the like peace and security might be extended to his adherents; and that the king would take care to have satisfaction made to him and his church for the injury done them in his son's coronation. To all these *Henry* readily agreed: but *Becket*, to improve a victory over his lord, which he thought compleat, because no mention was made of the customs of the *old tyrants* (so he terms the king's predecessors) or of any oath to observe them, resolved, after his return to *England*, to make further demands; which though the king had at that time rejected, he made not the least question of obtaining by the terror of excommunications and interdicts. These were an abolition of the customs or constitutions of *Clarendon*, an establishment of ecclesiastical liberties; the reparation of his own honour; and though, out of deference to the *Pope's* orders, he had said nothing, either of the damages which he and his clergy had sustained in their exiles, or of the restitution of the mean profits of his own see and their benefices, yet he was determined to insist thereon afterwards. The coronation of the new king, considering the notions inculcated in those days by the clergy, touching the rite of unction, and what the officiating prelate was supposed to confer, was too tender a point to be made a subject of dispute: yet when *Henry*, at his request, had undertaken to do justice to his church upon that head, he resolved not to be content with it, but to carve out a satisfaction to himself. The excommunications issued by him had not been regarded; none under that sentence had been avoided; and the clergy had still officiated, though inhibited by his interdict. To pass censures on all these, was a work of infinite labour: yet he determined to go through with it; under a pretence that the *papal* authority could not subsist, if they were left unpunished.

For the better execution of these measures, he¹ pressed the Pope to refer matters to his discretion; to send him three bulls of censures on different bishops in *England*, to be used as he saw fit; to empower the bishop of *Meaux*, and the abbot of *S. Crispin* at *Soissons*, to enjoin the king to restore the mean profits above-mentioned; and, on failure thereof, to issue severe censures upon his person and dominions. If this method was not approved, he desired the Pope to give him the same legatine powers as the archbishop of *Roien* and the bishop of *Nevers* had, or rather a larger authority than was given to those legates, since the more stiff and powerful the king was, the bonds to tie him were to be the stronger, and his treatment harsher. To these extraordinary powers for himself, he added another which he requested might be annexed to his see: this was a right of primacy over the province of *York*, that every part of *England* might be subject to his ordinary jurisdiction². There was still another point which he had at heart; it was to exempt the clergy of *England* from taking the oath of allegiance, and engaging to stand by the king against all men, unless the Pope was expressly excepted; since otherwise such an oath would lessen, if not totally ruine, the *papal* authority. To these may be likewise added, the design of taking away from all laymen the rights, which they had always enjoyed by law, of presenting to churches and prebends of their ancestors foundation and endowment, mentioned in the Pope's letters to all the bishops of *England*, dated at *Benevento*, 3^d May 19; enjoining them to excommunicate all the clergy so presented, who did not, within forty days after admonition, resign their benefices, and make satisfaction to the church for the profits they had thence received, and in case of their neglect, declaring his own resolution, to subject them to the same censure, and order them to be avoided by all the world. Such were the schemes, which *Becket*, after his reconciliation, formed, as he tells the *Pope* in his letters: and such the powers, with which he proposed to put them in execution, as soon as he returned into *England*: it was his fixed resolution to do

¹ *Epist. S. Thomæ*, l. v. ep. 52.² *Ib.* ep. 73.³ *Ib.* l. iv. ep. 30.

HENRY II. so, and he was too obstinate to be diverted from his purposes. We have seen in
A. D. 1170. what manner he began the work, from the very moment of his landing: and there is no room to doubt he would have pursued it with the same eagerness and fury, and by the methods of excommunications and interdicts, which he looked upon as infallible means of succeeding. It is easy to imagine what a distraction this would have caused all over the nation in that age of ignorance and superstition; and what an ocean of evils would have ensued, if he had not been taken off suddenly in the very beginning of his enterprizes.

THE prerogative of the crown, and the rights of the subject, must have been subverted; the laws of the land violated; and the constitution of the kingdom invaded, to make way for *Becket's* projects; all calculated to subject the nation to a foreign judicature and the papal power, under the pretence of securing the liberties of the church, and privileges of the clergy. Both these enjoyed already in *England*, as much real liberty as could in reason be desired, either for the service of the one, or the character of the other, or to answer the ends of the *Christian* religion. What more was contended for, tended only to encourage the clergy to all manner of disorders and iniquities; to screen the most scandalous of their order from the legal punishments which their crimes deserved; to protect them in the commission of murder, sacrilege, rapes, and crimes of the blackest nature; to obstruct justice, and destroy all good order and government in the nation. Such was the occasion, which first gave rise to the controversy with *Becket*; and such the consequences of those points of licentiousness, rather than liberty, for which he contended; with a view of enslaving the clergy themselves to the arbitrary dominion of the papacy, and exposing them to all the horrible exactions, oppressions, and corruptions of the court of *Rome*; and upon a principle, the most dangerous in nature to the peace of all societies, absolutely inconsistent with all civil government; and so utterly indefensible, that the bare stating of it is a sufficient refutation.

THIS principle, containing the true state of the controversy on *Becket's* part, was, that the church had an authority superior to that of all kings and states upon earth: and whenever it was exercised by *Popes* in their decrees, or by a body of foreign ecclesiasticks (assuming to themselves a power of judicature which the author of their religion expressly disclaimed) in the canons of their councils, even in the case of civil privileges, all the laws of a kingdom, and the most essential parts of its constitution were to be repealed and abolished by those decisions. It is evident not only from history, but from the very nature of the points of liberty thus controverted, that they were all derived from the grant of the civil magistrate, in whatever countries they were enjoyed. Whether they were thus granted by the state before, or after, any ecclesiastical assembly had by their canons arrogated to themselves such liberties, or *Popes* had by their decrees claimed them, doth not alter the nature of the question. They were still received and established by the laws in those countries: but there was no canon of an *English* council, no charter of the crown, no custom or law of the land for their reception in *England*. In this country, they still stood condemned by the laws, and inconsistent with the constitution: yet *Becket* was for abolishing the one, and trampling on the other, in order to introduce them; because in his private judgment, he thought it fit for ecclesiasticks to enjoy them here as well as abroad, and *Popes* had conferred them by their decrees. This he resolved to do with an high hand, and by ways of violence to force the state to a submission; to get the better of the king, or (to use his own expression) to make ' himself as a papal legate, *a God to Pharaoh*; an attempt treasonable in its nature, striking at the monarchy itself, and not to be carried but by a subversion of the civil power. For this end, all the ministers of the crown, all

: *Epist. S. Thomæ*, l. v. ep. 12.

judges

judges or officers of the law were to be excommunicated, and, as far as lay in *Becket*, HENRY II. A. D. 1170. incapacitated for the functions of their offices; the kingdom was to be put under an interdict, and all divine service to cease in churches; a stop was to be put to all state affairs; the government was to be in effect dissolved, the nation was to be left without the administration of justice, without the protection or benefit of the laws, without the publick exercise of religion, and to be thrown into a wild confusion, exposed to the invasion of foreigners, ever ready to take advantage of their neighbours dissensions, to seditions and insurrections at home, to an infinity of disorders, and to all the inexpresible evils of anarchy. There is something so dreadful and shocking in this scene, the natural consequence of *Becket's* measures, that it is scarce reconcileable to common sense, to imagine that his actions were directed by any publick spirit, whatever he pretended; but rather by a private view to aggrandize himself (in which case passions always run high and act with violence) and to establish his own power upon the ruins of the royal authority.

SUCH was the cause, and such the man, that Pope *Alexander*, for the interests of the papacy, and to encourage others to the like excesses¹, thought fit to consecrate and canonize, about two years and as many months after his death; without the usual process in such cases, or any formal examination of witnesses to his pretended miracles. This resolution taken on an *Asb-Wednesday*, upon common report and the credit given to the relations of the cardinals *Albert* and *Theoduin*, then in *Normandie*, and nearer the scene of those senseless stories, and pretended visions, was notified on the twelfth of *March* following, by the Pope in a bull dated at *Segni*, directed to all the clergy and people of *England*, and appointing *December 29*, to be kept annually as a festival, in commemoration of *Becket's* martyrdom. This did not hinder it from being disputed² forty-eight years after his death, in the university of *Paris*, whether he was damned or saved; the former opinion being maintained by one *Roger*, a *Norman*, who thought he deserved death, for being a rebel and traitor to the king his master; whilst others, on account of his labouring to advance the ecclesiastical liberties, looked upon him as a martyr. His corpse was at first laid in an ordinary tomb: but in consequence of an order of Pope *Honorius II*³, on *January 25*, *A. D.* 1219, was, on the seventh of *July* following, taken up with great solemnity, and laid in a sumptuous shrine at the expence of archbishop *Langton*.

THE assassins, after the fact reflecting on the nature and consequences of their action, retired to the castle⁴ of *Knareborough* in *Yorkshire*, belonging to *Hugh de Moreville*; where they staid near a year by themselves, without any conversation with others: but tired at last with solitude, struck with remorse, or rather enjoined by the king to submit to the Pope's judgment, they went to *Rome*, and were ordered to make a pilgrimage to *Jerusalem*. *Becket's* biographers pretend, that they all died within three years, particularly *William de Tracy*, in a most miserable manner: and yet to shew how little credit is due to their relations, it is not improper to observe, that this nobleman⁵ lived above fifty years longer, and having probably expiated his crime in the eye of the monks of *Christ-Church* in *Canterbury*, by making them a grant of his manor of *Docombe*, was seneschal or justiciary of *Normandie* in the years 1175 and 1176, joined with the barons against king *John*, served in the expedition into *Wales*, *A. D.* 1222, and had scutage from all his military tenants for that service. It is likewise certain from records⁶, that *Hugh de Moreville* was living in king *John's* time, and had several privileges granted him for the manors

¹ *Bar. Ann.* t. xii p. 815. *Ep. S. Tho.* l. v. ep. 92, 93. ² *Du Moulin, Hist. de Norm.* p. 382. ³ *Ep. S. Tho.* l. v. ep. 97. ⁴ *M. Paris. Bened. Abb.* p. 12. *Dicet.* col. 557. *Vita pref. Ep. S. Tho.* p. 155, 156. *Gul. Neubrig.* l. ii. c. 25. ⁵ *Monast. Anglic.* t. i. p. 22. *Brompt.* col. 1105, 1116. *Dugdale's Baronage*, t. i. 623. ⁶ *Oblata* 1 *John. M.* 6. *Lincol. & Cart.* 2 *John. M.* 9. See *Dugdale's Baron.* t. i. p. 612.

HENRY II. of *Kirk Oswald* and *Lefingby* in *Cumberland*, which he enjoyed in right of his wife
A. D. 1170. *Heloise d'Esfonteville*, with liberty to fortify his manor house.

The King's
conduct after
Becket's death.

XXIV. THIS murder broke all the king's measures, reduced his affairs into a very unhappy situation, and forced him to compliances; which *Becket*, if living, could never have extorted from him by all his spiritual artillery. The news of it was received by all the world with horror: and in that situation of mind, the *English* were in all ages naturally disposed to advance the murdered person to the dignity of a saint, and to believe all the ridiculous stories of apparitions, visions, cures, and miracles, related of him by melancholy or designing people. *Becket's* partisans did not fail to fill the kingdom with relations of that kind; which the *English*, ever fond of whatever appears marvellous, ever credulous in despite of common sense, and on certain occasions ready to believe the greatest absurdities in nature, swallowed without examination. *Henry* was before master of his kingdom, but the scene was now changed: excommunications and interdicts were terrible things at all times, but vastly more so, when denounced on so just an occasion, as affected all mankind. It was now a question, whether he could raise an army, if he were excommunicated himself; since all his attendants and followers would be involved in the same sentence. To make his advantage of these circumstances¹, the king of *France*, as soon as he heard of *Becket's* death, wrote to the Pope; pressing him to unsheath *St. Peter's* sword to revenge it: *Theobald* count² of *Blois* wrote to the same effect; and the archbishop of *Sens*³, not content with using the like instances, exerted the legatine powers which he had in *France*, and, without waiting the Pope's answer to his letters⁴, laid all *Henry's* dominions in the continent under an interdict, which the *Pope*⁵ thought fit to confirm.

The king was at *Sirgentan*, when he received advice of that tragical event; he saw at once all the consequences thereof; broke out into the most moving lamentations: and laid it so extremely to heart, that he shut himself up three days in his bed-chamber, neither eating⁶ any thing all the time, nor admitting any comforter. The prelates and nobles about his court, in pain for his life, which seemed endangered by his grief and abstinence, got at last admittance, and pressing him to take some care for preventing the mischiefs which else might follow *Becket's* murder, the archbishop⁷ of *Rouen*, the bishops of *Evreux* and *Worcester*, the abbot of *Valaff*, in the diocese of *Rouen*, the archdeacons of *Sarum* and *Lisieux*, *Richard Barre* and *Henry Picchim* were sent ambassadors to the court of *Rome*. The first of these being too old and infirm to bear the fatigue of the journey, returned soon: but the rest, proceeding to *Sienna* in *Tuscany*, found all the roads between that place and *Frascati*, where the Pope then resided, so beset with the troops of count *Macario*, that they durst not for some time advance further. There was no getting thither, but over mountains, and through by-ways, scarce passable: *Richard Barre* however, zealous for his master's service, first ran the dangers of the passage; and all the rest (except the bishops) following soon after, got safe to *Frascati* on *Saturday, March 20*, being the eve of *Palm Sunday*. It was an usual custom for Popes, on the *Thursday* before *Easter*, to denounce a publick absolution and excommunication of all persons in general, who, on account of certain crimes, or of their repentance for them, were either entitled to a relaxation, or deserved to be punished by a denunciation of that sentence: and the ambassadors were extremely solicitous to arrive time enough, to prevent that censure being inflicted on *Henry*, and an interdict being laid on his dominions; both which, according to the general opinion, were really designed. This was the reason, why, leaving the bishops behind, they

¹ *Epist. S. Thomae*, l. v. ep. 78.

² *Ib.* ep. 81.

³ *Ib.* ep. 80.

⁴ *Ib.* ep. 82.

⁵ *Ib.* ep. 84.

⁶ *Ib.* ep. 79.

⁷ *Ib.* ep. 83, 84.

made such haste to *Frascati*; where they found *Alexander*, a *Welshman*, and *Gunter*, a *Fleming*, two of *Becket's* clergy, soliciting against them, and the Pope so exceedingly irritated, that they met with difficulties, which seemed at first insuperable, in the way of their obtaining an audience. The abbot of *Valasse*, and the archdeacon of *Lisieux* were at last, after great solicitations, admitted: and fell upon a very extraordinary method to avert the impending evil, which they submitted to by reason of the urgent necessity; though it doth not seem to be particularly warranted by their instructions. All the agents swore, at nine in the morning, on *Maundy Thursday*, before a full consistory, that the king should stand to the Pope's judgment in this affair, and that the king should oblige himself to such a submission in the same manner. Thus they prevented the solemn denunciation of that day: and the Pope only excommunicated all that were actors, aiders, abettors, advisers, or approvers of *Becket's* death, and all that harboured or received the murderers. The bishops of *Worcester* and *Evreux* came to *Frascati* after *Easter*: but all that they could do, in conjunction with their colleagues, did not hinder the Pope's confirming the archbishop of *Sens's* interdict on the king's dominions on the continent. All the benefit, accruing from this negotiation, amounted to no more, than the preventing of an interdict upon *England*, and a suspension of any further proceedings, till the Pope had sent two legates into *Normandie*, to examine into *Becket's* death, and the king's humiliation. This too cost a vast sum of money, not less (as *Dr. Brady* says¹) than forty thousand marks of silver, and five thousand of gold; an expence in that juncture absolutely necessary, considering the general disposition of the minds of people upon the archbishop's murder, and the ascendant which, the *French*² historians say, *Louis* king of *France* got on that occasion over *Henry*, whom he had ever dreaded before. But now being in strict alliance, and acting in concert with the Pope, he became enabled to distress him whenever he pleased: and threatened him on every slight pretence with a war; which the king of *England* endeavoured by all means to avoid, and was forced to exert all his address and arts of policy for that purpose.

THE two legates that the Pope proposed to send into *Normandie*, were the cardinals *Albert* and *Theodin*: and it was generally thought that they would soon arrive in that country. *Henry*, apprehensive that in the present temper of the court of *Rome*, they might insist on very unreasonable conditions; and considering the horror of the late fact would wear off daily, thought it very necessary in his circumstances to gain time; and by the lustre of some great action, or important conquest, to raise his own reputation, and shew his enemies that they had still reason not to despise his power, or to imagine he might be insulted without danger of revenge. He had in his view an enterprize, wherein he could scarce fail of success: this was the conquest of *Ireland*, which he had proposed in the second year of his reign, having then got a grant of it from Pope *Adrian IV*, an *Englishman*, under pretence of propagating the *Christian* faith in that country, and correcting the vices of the inhabitants; but was dissuaded from it by his mother *Maude* the empress. Every day's experience since, particularly the late successes of some private adventurers, had conspired to shew the facility of the conquest, and the certainty of the attempt's succeeding: and *Henry* resolved to defer it no longer. With this view, he sent for the young king over into *Normandie*³; where, by an inquisition into the crown lands usurped since the death of *Henry I*, he had doubled the rents of the duchy: and having settled his affairs there, he passed into *England*; landing, on *August 3*, at *Portsmouth*. To prevent any disturbance being raised in either country during his absence, he renewed the orders⁴, for the ports of both to be strictly

¹ *Hist. of England*, vol. ii. p. 408.

² *P. Daniel's Hist. de France* in 4to, *Amsterdam*, vol. ii. p. 556.

³ *Rob. de Monte. Chron. Gervasi.* col. 1419.

⁴ *Benedict. Abbas.* p. 26, 27.

HENRY II. guarded, and for hindering as well the bringing over of any letters of interdict, as the passage of any clergymen, without swearing that they would neither do nor attempt any thing to the prejudice of the king or kingdom. This done, he marched with a great army to *Pembroke*: and embarking his forces on board a fleet of four hundred sail in the evening of *October 16*, landed the next day about eight miles from *Waterford* in *Ireland*.

And expedition to *Ireland*.

XXV. THE king probably chose to march through *Wales*, in order to settle a firm peace in that country, and prevent the sending thence any assistance to the *Irish*: and *Reſe*², prince of *South-Wales*, making his submission, he treated him with so much kindness, that he effectually secured him for ever after in his interests, even at a time, when the rebellion of his own sons put the fidelity of his subjects to an unusual trial. The sons³ of *Owen Guineth*, prince of *North-Wales*, submitted at the same time; their father had died two years before, and his eldest son *Jorwerth* being maimed so in the face, that he did not care to appear in publick, a quarrel had happened between his other sons about the government; which *David ap Owen*, having slain his natural brother *Howel* in battle, at last obtained, till *Llewellin the Great*, son of *Jorwerth*, came of age to assert his right of inheritance. This quarrel caused such a slaughter and destruction in the country, that *Madoc*⁴, another of *Owen's* sons, was glad to quit it in quest of some other settlement: and furnishing some ships with men and provisions, sailed to the north of *Ireland*; and then steering westward, came to a land unknown, probably the coast of *Florida*, or some more northerly part of *America*. Leaving most of his people there, he came back with the rest: and gave such an advantageous account of that country, that he prevailed upon a large number of men and women, desirous of a quiet life, to go along with him; and filling ten ships with his new colony, returned thither again to compleat the settlement he had begun. This account is given by the famous *Gyttyn Owen*, the last eminent poet and antiquary among the *Welsh* bards, who being well versed in the history of his country, is no bad authority to vouch the truth of this relation. This others think not a little confirmed by a tradition of the *Mexicans*, mentioned by *Montezuma* in a speech to them, that their rulers descended from a strange nation, which came thither from a far distant country: and by the multitude of *British* words retained, as well in the language of the inhabitants of those parts, as in the names of places, such as the island of *Corroeso*, cape *Breton*, the river of *Gwyn-dor*, and the white rock of *Pengwyn*. Whoever likewise reads the late account given of the manners of the savages of *North-America*, cannot but observe abundance of their customs to be the same as those of the *Old Britains*; by what channel soever they came to be conveyed immediately to those people.

It hath been already observed, that *Ireland* was first planted by the *Britains*, and, a little before the invasion of *Britain* by *Julius Cæsar*, had received a colony of *Belgic Britains* from *Devon* and *Cornwall*: who, for the sake of commerce, seated themselves along the south-eastern coast of that island; the old inhabitants retiring to the more inland parts of the country, where they had more conveniences for hunting, their chief delight and employment. Both these people were known in the world by the common name of *Hiberni*, so low as the time of *Constantine the Great*, as appears from the inscription on the altar erected by *Magis*⁵, an *Irishman*, on the banks of the *Rhine*: but at the latter end of that emperor's reign, great numbers of *Scythians*, or *Scoti*, perhaps descended of the *Hermiones* in the north of *Germany*, mentioned by *Tacitus*, being transported from *Gallicia*, took possession of the western and north-west parts of the island, till then over-run with

¹ *Benedict. Abbas*, p. 26, 27. *Rob. de Monte.* ² *Powel's Hist. of Wales*, p. 221, 233. ³ *Rob. de Monte.* ⁴ *Powel*, p. 228, 229. ⁵ See before, p. 14.

bogs and woods, and probably very little, if at all, inhabited. These *Scoti*, a war-like and restless people, used to rapine, soon enlarged their settlements, and communicated their name to the whole *island*; living in septs, under chieftains, that were lords of the particular countries denominated from them, but still owed a kind of subjection to a superior; who, with the title of king, exercised a sovereignty over several of those countries. There were five of these royal superiors, which occasioned an ancient division of the country into the five kingdoms of *Ulster*, *Meath*, *Leinster*, *Munster*, and *Connaght*: and out of these, there was generally one, distinguished by his valour, wisdom, and power, who was either chosen by the others, or got, by force, to be acknowledged as monarch of all *Ireland*; a title which, however honourable, and attended with a right of presiding in all general assemblies of the whole nation, brought with it no accession of property or territory; the sons of each monarch succeeding only to the patrimonial inheritance of their ancestors. The eminency of those five kings did not hinder several lesser potentates or chieftains from assuming and bearing the title of king, the *Irish* term for it being equally applicable to a lord either of a small territory, or of several countries: but this title caused no jealousy in the greater princes; whereas that of Monarch was a continual source of civil wars, and few, that either were candidates for it, or actually enjoyed it, escaped being killed either by treachery or in battle.

It doth not appear, that *Ireland* was ever subdued, or even attacked, by the *Romans*: and what is said in the panegyric on *Constantius Chlorus* of its subjection to that emperor, could be only meant of the tribute or customs paid him by the *Irish* merchants of *Belgic* race; who having no vent for their commodities, but in the *Roman* empire, afforded by those payments handle enough for the flourishes of a panegyrist. Nor was it invaded by any other enemy, except for one year by *Egfrid* king of the *Northumbrians*, till about *A. D.* 795, when the *Danes* first landed in the country: but these people met with little success; till the famous *Turges* came over about twenty years after with a potent army, and subdued the greatest part of *Connaght*, *Ulster*, *Meath*, and *Leinster*. This prince made terrible ravages in the country for the space of thirty years: but was in *A. D.* 845 slain by *Melachlin* king of *Meath*, in the isle of *Lochvair*; and most of his forces, dispersed in different parts, were cut off by the *Irish*. The *Danes* however still kept a footing in the island: and about eight years after, *Anlave* coming from *Norway* with his two brothers, and a numerous body of forces, built and fortified the cities of *Dublin*, *Waterford*, and *Limeric*; making them the capitals of so many distinct kingdoms which continued in their descendants till the times whereof we are speaking. These kingdoms contained little more than a small tract of territory lying about those cities: nor could they have subsisted without the supplies, that from time to time were sent from the *Western isles* and *Norway*; which enabled them to extend their possessions along the maritime parts, and to secure them by erecting new cities and fortresses. The *Irish* kings² abovementioned were possessed only of the open country; woods and bogs being the onely forts they had for their defence on occasion: and their people lived in a wild manner, dispersed, half-naked, subsisting chiefly by roots, milk, and cattle, which they drove from place to place for pasture; nor caring for the trouble of agriculture; whilst the *Danes*, under the name of *Easterlings*, carried on all the commerce of the nation. When these last people first landed, the *Irish* were in great vogue for learning, and in a fair way of being civilized by the influence of the *Christian* religion: but the rage of the *Danes* falling particularly upon the clergy and monasteries, all learning was soon destroyed, and the natives relapsed into their original ignorance and barbarity³. They had no kind of manufacture among them, nor any knowledge of mechanic arts: they

¹ *Hare's Antiq. Hibern.* l. xxiv.

² *Topogr. Hibern. Diss.* 3. c. 10

³ *Ib.* c. 19, 20, 21, 23, 26, 29.
placed

HENRY II. placed all their pride and happiness in idleness, the source of all manner of vices and of the grossest iniquities; which so overspread the nation, that *Christianity* was almost extinguished in many places, and had in others little power over the conduct of its professors; whilst the bishops, generally taken out of monasteries, lived like monks, solicitous for themselves, and took little or no care of their dioceses.

A. D. 1171.

SUCH was the condition of *Ireland*, when¹ in A. D. 1167 *Dermot Mac Morogh*, king of *Leinster*, having carried off *Derworgill*, the daughter of *O Melacblin* prince of *Meath* and the wife of *Tigernac O Rourke*, king or lord of *Breany*², was attacked by the united forces of the injured husband, and of *Roderic O Connor Dun*, king of *Connaght*, and lately created monarch of *Ireland*: and being routed in battle, fled with a few of his followers into *England*. The king being at that time in *Guienne*, *Dermot* waited upon him in that country: and offering to hold his kingdom of the crown of *England*, if he could recover it by his succour, *Henry* accepted the proposal, and granted him letters patent, allowing any of his *English* subjects to afford him their assistance. *Dermot* returning to *Bristol*, where he could get the best intelligence of affairs in *Ireland*, made an agreement with *Richard*, surnamed *Strongbow*, lord of *Strigul* and earl of *Pembroke*; engaging to give him his only daughter *Eva* in marriage, with the succession of the kingdom, in case the earl supplied him, in the spring following, with a body of forces to restore him to his dominions. The *Irish* prince, going thence into *Pembrokeshire*, made a like contract with *Robert Fitz Stephens* and *Maurice Fitz Gerald*, for succours; promising them the city of *Wexford* and the two adjoining cantreds, which did not belong to him, but were in the hands of the *Easterlings*: and then passing into *Ireland*, lurked all the winter in the monastery of *Ferns*, which he had founded. *Robert*, in the beginning of May A. D. 1169, with his nephew *Meyler Fitz Henry*, *Milo Fitz David*, *Hervey de Montmorency*, sixty knights, and three hundred archers, landed in *Bannogh Bay*, near *Fethard*, in the county of *Wexford*: and being joined the next day by *Maurice de Prendergast* with ten knights and sixty archers, as he was soon after by *Dermot*, advanced to besiege the town of *Wexford*. It was soon surrendered, and *Dermot* not only made it over immediately, with the two cantreds he had promised, to *Robert* and *Maurice*: but distributed money among their followers, and gave two other cantreds near the sea, between *Wexford* and *Waterford*, to *Hervey de Montmorency*; from whom they were inherited by the house of *Ormonda*. *Dermot* had now got together three thousand of his *Irish*: and prevailing with his new friends to march against *Donald* king of *Offory*, who had ever been his greatest enemy, several actions ensued; in which *Robert Barry* and *Meyler Fitz Henry* distinguished themselves by their valour, and *Donald* being routed, was forced to a submission. *Roderic*, monarch of *Ireland*, alarmed at these successes, solicited all the petty kings of the island to join their forces and stop the progress of the *English*: but thinking it safer to carry his point by a negotiation, recommended to them to quit the country; and not succeeding in that point, offered *Dermot* to restore him to all *Leinster*, provided all the foreigners were expelled. To insure the performance of this treaty, *Dermot* gave his son *Cnuth* in hostage to *Roderic*; whose daughter he was to marry, pursuant to one of the articles: but he was soon after so elated by the arrival of *Maurice Fitz Gerald* with ten knights, thirty horse, and three hundred archers, that he resolved to carry on the war, and to besiege *Dublin*; which soon surrendered, but upon the delivery of hostages, was left in the possession of *Asculf*, prince of the *Danes*, to whom it belonged. *Roderic* in the mean time had fallen upon the territories of *Donald O Brien*, king of *Thomond*, son-in-law to *Dermot*: but *Fitz Stephens*

¹ *Hibern. expugn.* l. i. c. 1. 2. 3. *Cavan.*

² Now the county of *Leitrim*, and formerly containing that of marching

marching against him, worsted him in several engagements, and forced him to fly into *Conaght*. HENRY II.
A. D. 1171.

DERMOT had now got possession of all his lands in *Leinster*¹; and seeing the great advantages which the *English* had over the undisciplined, ill-armed *Irish*, made little doubt of reducing *Conaght* also into subjection: but consulting *Robert* and *Maurice* on the subject, they thought it advisable to wait for the arrival of further succours. Application was hereupon made to *Richard Strongbow* for the performance of his promise²: who, either flighting *Henry's* prohibition in hopes of making his fortune, or having an ambiguous leave from him, sent over *Remond le Gros*, with ten cavaliers and seventy archers; intending to follow soon with greater forces. *Remond* landed in the beginning of *May* A. D. 1170, at *Dundevil*, four miles from *Waterford*; the *Danes* of which place, hoping to destroy him before his strength increased, and joining with the *Irish* of the neighbourhood, attacked him with a body of three thousand horse and foot: but were, after a sharp dispute, entirely defeated with the loss of a thousand men, by *Hervey de Montmorency*; who had come accidentally with a party of his followers to make a visit to *Remond*. *Richard* himself landed on *Sunday* August 23, with two hundred knights and a hundred archers, near *Waterford*: and carrying the place by storm on the *Tuesday* following, took in it *Reynald*, prince of the *Danes* of the city, and *Malachias O Phelan* lord of *Decies*. There his marriage with *Eva* was solemnized: and they were both publicly declared heirs of *Dermot's* territories; though the son of this last, in hostage with *Roderic*, was not put to death, till a month or two after this declaration. From thence the earl, with his father-in-law, leaving a garrison in *Waterford*, marched to *Dublin*: and on *Sept.* 21, took the place by force; *Asculf* with many of the citizens making their escape in boats to the *Orcades*. They made in the next month an incursion into *Meath*; wasting the country with fire and sword: but winter coming on, *Dermot* returned to *Feras*, and *Strongbow* to *Waterford*; *Miles Cogan* being left governor of *Dublin*. This eagerness of extending their conquests was not pleasing to the king of *England*: it was not his interest, that the petty princes of *Ireland*, should be destroyed and the whole island brought into subjection under one head; and he very powerful already by his possessions in *Wales*, and the support he might have from the great family of *Clare* (of which he was a branch) and from his other relations or alliances in *England*. To prevent such an inconvenience, *Henry*, by a proclamation³, ordered all his subjects to return out of *Ireland* by the *Easter* following, and forbade the sending of any more supplies thither: which obliged the earl to send *Remond* into *Normandie*, with letters full of duty and submission to the king; professing himself ready to resign into his hands all that he had acquired in *Ireland*.

DERMOT dying⁴ at *Ferns* on *May* 4, A. D. 1171, earl *Richard* became by that event lord of all *Leinster*; and had not long after, upon the return of *Remond*⁵, assurances of his being reinstated in the king's good graces: who had ordered his lands as well in *England* as *Normandie*, which had been seized into the hands of the crown, to be restored, and created him likewise constable or seneschal of *Ireland*. In the mean time, *Asculf* had got⁶ a considerable body of forces from *Norway*, the *Orcades* and *Hebrides*; and coming about *Whitsunday*, in a fleet of sixty ships, to the mouth of the *Liffy*, made an attempt upon *Dublin*: but being defeated by *Miles Cogan*, was taken and put to death for his imprudent and menacing language. This unsuccessful expedition was a prelude to a much greater enterprise, formed by *Roderic* for driving the *English* out of *Ireland*; in which, besides the great levies he made in his own territories and in other provinces, he was

¹ *Hibern. expugn.* l. i. c. 12, 13, 16, 17. ² *Gul. Neubrig.* l. ii. c. 26. ³ *Ib.* c. 19. ⁴ *Ib.* c. 20.

⁵ *Rob. de Monte.* ⁶ *Hibern. expugn.* l. i. c. 21, 22. 24.

HENRY II. assisted by *Godred*, king of *Man* and the western islands. The first attempt was upon *Dublin*; which they invested with an army of thirty thousand men: and continued the siege for two months; in hopes that the place would be obliged to surrender for want of provisions. Earl *Richard* had thrown himself into the town with a small supply of forces: and seeing no resource but in his sword, made a sally very early in a morning, with about ninety knights and their followers or esquires, and attacked the enemy so unexpectedly, that they soon fell in disorder and fled after a very slight resistance; many of them being killed in the pursuit, and *Roderic* himself escaping with great difficulty. He marched the next day, with what could be spared of his troops, in order to relieve *Robert Fitz Stephens*: who was besieged in *Carreg* near *Wexford*, by the *Danes* of those parts, and *Donald* a bastard son of king *Dermot*; and reduced to such an extremity, that he could not hold out three days longer. But this gallant man having been deluded, by the perjury of the prelates of *Kildare* and *Wexford* (who swore that *Dublin* and all the *English* in it, were taken) into a surrender, upon condition of being transported to *Wales*, the earl upon this advice, went to *Waterford*. There he found *Hervey de Montmorency* returned from the king; with orders for him to go to *England*, and meet *Henry*, as he was on his march with a great army towards *Ireland*. The earl obeying without the least delay, took *Hervey* over with him: and finding the king at *Newenham* in *Gloucestershire*, conveyed to him by deed all that he either enjoyed by his wife, or had conquered by his sword, in *Ireland*; receiving from him in return, to be held of the crown in vassalage, the whole province of *Leinster*, except the city of *Dublin*, with the cantreds adjacent, and some maritime towns and castles. *Strongbow's* absence tempted *Tigernack O Rourke* to invest that city again; but with the like ill success as had attended *Roderic* in the last siege; his army being defeated by *Miles Cogan*, and his son, a young prince of great hopes, slain in the action. Thus ended all the attempts made either by the *Danes* or the *Irish*, to preserve their power in the kingdom: the chief town of the former were already taken, and the rest, upon the king of *England's* landing with five hundred knights and four hundred men of armes, readily submitted; the same party being also taken by the latter, who had no fortresses, besides their bogs, that could serve for defence.

HENRY had little to do after his landing, but to make a progress through the kingdom, and receive the homages of the princes and toparchs in all parts wherever he went: nor is there any thing wonderful in this general submission; if (as *Gervase* ² says) they had invited him over, choosing rather to live under his dominion than the earl of *Pembroke's*. He was received at *Waterford* with great joy by *Robert Fitz Bernard*, whom he had sent before, and now made governor of the city, upon its being delivered to him by earl *Richard*; who there did homage for his territory of *Leinster*. Thither *Robert Fitz Stephens* was brought by the citizens of *Wexford*: and *Dermot Maccarty* king of *Corke* came to swear fealty, and deliver hostages, for the payment of an annual tribute. From thence, after a fortnight's stay, the king ³ marched with his army to *Lismore* and *Cashel*; receiving the submissions of *Donald* king of *Offory*, *Malachias* or *Melachlin O Pbelan*, king of *Decies*, *Reynold* prince of *Waterford*, and *Donald O Bryen* king of *Thomond* or *Limeric*. He treated them all with great kindness, and made them rich presents; but took care to secure *Corke* and *Limeric* with good garrisons; a precaution which he thought so necessary with regard to fortified towns, that he retained *Wexford* in his own hands, with the territory adjoining, when he set *Fitz Stephens* at liberty. Having thus provided for the security of *Munster*, he marched with his army through *Offory* to *Dublin*; where he arrived on Nov. 21; and received soon after the homages of *Mur-*

¹ *Hibern. expugn.* c. 25. 28.

² *Chron. Gervasi.* col. 1419.

³ *Hibern. expugn.* l. i. c. 31. 32.

Richard O Carol, king of *Uriel* or *Ergall*¹, *Tigernac O Rourke*, and other princes in the neighbourhood of that metropolis of *Ireland*. Nor did the monarch *Roderic O Connor* decline following their example; meeting *Hugh de Lacey* and *William Fitz Aldelm*, *Henry's* ambassadors, on the banks of the *Shannon*; taking an oath of fealty; and obliging himself to pay an annual tribute. Thus did all the kings and princes of *Leinster*, *Munster*, *Conaght*, and the east and south parts of *Ulster*, submit without a drop of blood shed: and most of them attended at his court, which he kept at *Dublin*, during the *Christmas* holidays, with great magnificence.

HENRY II.
A. D. 1171.

THE bishops of *Ireland* had been still readier than the princes and nobility to acknowledge the king of *England* for their lord: and had all repaired to him at *Waterford*, immediately after his landing, except *Gelasius* archbishop of *Armagh*; whose great age and infirmities incapacitating him for a journey, forced him to defer that compliment, till *Henry's* arrival at *Dublin*. They² expected, from his piety, wisdom, and justice, a speedy redress of an infinite number of disorders, immoralities, and evil customs, which had got too strong a footing in the nation, to be eradicated only by their own power and influence: and they had, upon *Richard Strongbow's* taking *Dublin*, exerted their authority to abolish an impious kind of commerce, that had been carried on for several ages between their own country and *Great Britain*. The *Irish* had been used in the *Saxon* times, to buy, either from merchants or from robbers and pirates, abundance of *English*, to be employed in servile works: and in the flourishing state of the monarchy of *England* before the *Norman* conquest, the common people in general had got a strange sort of custom of selling their own children and nearest relations for slaves to the *Irish*. Slavery indeed was not then so terrible, as the inhuman treatment of slaves in some countries hath since rendered it: yet the practice was certainly very unnatural in parents; though their motive for it, was, either to provide a subsistence for the children so sold, or to save themselves from being reduced, by the charges of maintaining them, to a state of want and poverty. This practice had continued after the *Conquest*; though it was condemned by the ecclesiastical canons, and looked upon as an enormous iniquity, derogatory from *Christian* liberty: and it was the more scandalous, because of the hazard which the children, thus sent to market, ran, of being corrupted in their principles of religion and morality, by the ignorance, vices, and barbarism that reigned in *Ireland*. The *Irish* bishops imagined, that this traffick had, by a just judgment of God Almighty, drawn upon the *English* all the evils of their subjection to the *Normans*, and was now drawing upon the *Irish* those of being enslaved to the *English*: and either for this reason or perhaps to make court to their new masters, they met in a synod at *Armagh*; and with the general consent of the nobility, ordered all the *English* slaves throughout the island to be set at liberty.

To encourage the expectation which the bishops had of the good effects of his government, *Henry*³ summoned a general council of all the clergy of *Ireland*, to meet about *March* 25, at *Cashel*. It was a very full one; and *Christian*, bishop of *Lismore*, presided in it as the Pope's legate for that kingdom; having in the same capacity presided *A. D.* 1152⁴, in the great council of the prelates, kings and nobility of *Ireland*, held at *Mellefont*, in which the four sees of *Armagh*, *Dublin*, *Cashel*, and *Tuam* were raised to the dignity of metropolitans. *Ralf* abbot of *Buldcas*, the archdeacon of *Landaff*, and some of the king's chaplains were sent to this council; in order to promote his design of bringing the church of *Ireland* to a perfect conformity, in point of discipline and constitution, with that of *England*.

A. D. 1172.

¹ *Ergall* or *Uriel* comprehended all that country, which was afterwards divided into the counties of *Louth*, *Armagh*, and *Armagh*. *Antiq. Hibern.* c. 27. ² *Hibern. expugn.* l. i. c. 18. ³ *Ib.* c. 33, 34. ⁴ *Council. Al. Brit.* t. i. p. 425. 471. 473.

HENRY II.
A. D. 1172.

With this view several canons were made, as well to prevent the promiscuous concubinages and polygamy of the *Irish*,¹ forbidding marriages within the prohibited degrees of consanguinity, and enjoining them to be solemnized according to the custom of the church; as to provide for the due catechizing of children, and the baptizing them in churches with the trine immersion in water, for the rites of burial, and performing all divine offices according to the form of the church of *England*. The clergy found their particular benefit in some other regulations there established, for the payment of all manner of tythes to the parish churches; for exempting the clergy from contributing to the compositions for murder laid upon the relations of the murderer, and their lands and possessions from all secular impositions; particularly *Cosherings*², *Coine*, and *Livery*, usually exacted by the great lords and potentates of the kingdom. These constitutions were confirmed³ by the royal authority: and being sent to the court of *Rome*, with an instrument signed by all the prelates of *Ireland*, and expressing their recognition of *Henry* and his heirs for their lords and kings for ever, Pope *Alexander* thereupon made him a grant of that realm, in the same terms as his predecessor *Adrian's*. There was in the same council a regulation made for empowering persons to make wills, and for the distribution of their personal estate between their wives and children, if they had any: and the king designed to establish many others, as well for the security of property, as for the peace of the country. This the *Irish* in general⁴ expected from him; considering his great reputation, and the happiness which the *English* enjoyed under his wise and just government; and it is assigned as one of the reasons, why they submitted to him so readily: but he was hindered from executing that design, by advices which he received from *England*.

CONTINUAL storms⁵ had reigned all the winter, with so unusual a violence, that the sea retiring from the sandy shore of *South-Wales*, left large tracts of ground, which had been for ages concealed under its waves, exposed to sight; covered with trees so thick, that they appeared like groves, the marks of axes, in such as were cut down, being fresh, as if the strokes had been just given, and their trunks as well as the earth about them, black as ebony. This weather had entirely cut off all correspondence between *England* and *Ireland*; scarce a ship daring to attempt a passage; till the king, after three months stay in *Dublin*, came on *Asb-Wednesday* to *Wexford*: where he received advice that the cardinals *Albert* and *Theodin* had arrived the year before in *Normandie*, and having waited for him there, till their patience was quite exhausted, threatened to excommunicate him, if he did not come over immediately, to clear himself of being accessory to *Becket's* murder. He had at the same time intelligence, that endeavours had been used to alienate the minds of his sons from him; and that a dangerous conspiracy was formed among the nobility, as well of *England* as of his foreign dominions, for supporting them in their rebellious measures. The king had proposed to pass the summer in *Ireland*, and make an expedition into *Conaght* in that season, when the roads of the country were passable: but upon these advices, he ordered his forces, with the officers of his household, to embark about *Midlent* on board his fleet, which lay at *Waterford*, and sail for *England*, keeping only three ships to carry over himself and his attendants.

THREE weeks, which he staid longer in *Ireland*, he employed in taking measures for the security of the kingdom, as well against any attempts of the *Irish* princes, as the ambitious designs of *Richard Strongbow*; of whose power and haughty spirit he was still jealous. Thus he made it his business to draw off *Remond le Gros*,

¹ *Cosherings* were visitations and progresses made by the lord and his followers, among his tenants, living upon them for the time: *Coine* and *Livery* consisted in the taking of mans meat, horse meat, and money at will, from all the inhabitants of a

country for the entertainment of soldiers. Sir J. Davis's *Causés of Ireland's not being sooner reduced*, &c. ² *Hoveden. Benedict. Abb.* p. 30.

³ *Diceto*, col. 559.

⁴ *Hib. expugn.* l. i.

c 35, 36, 37.

Miles Cogan, William Makarel, and others, from the earl's interests, and engage HENRY II.
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 them in his own: and though he was very bountiful to all the first adventurers, concerned in the reducing of any part of the realm, he still took care to keep the fortified cities in his own hands, and commit the government thereof to trusty persons. He had taken from *Robert Fitz Stephens* the town of *Wexford* with the territory about it, which he enjoyed by the bad title of *Dermot Mac Morrogh's* gift; but he made him amends by granting him ¹ the hundred of *Offaly*, which lay nearest *Dublin*. The custody of *Waterford* was entrusted to *Robert Poer*; that of *Wexford* to *William Fitz Aldelm*; and that of *Dublin* to *Hugh de Lacy*, with sufficient garrisons; lands in the neighbourhood of each place being assigned for the service of the knights, and the entertainment of the other soldiers; and directions given to erect, as well a castle in *Dublin*, as fortresses in other convenient places. There was no fortified town in *Meath*: and for that reason no exception of any place is found in the grant ² made to *Hugh de Lacy* of all the territory of *Meath*, to be held by the service of an hundred knights in as full a manner, as it had been enjoyed by *Murchard-Hu-Melachlin*.

It was probably on occasion of this grant, that *Hugh* became engaged soon after in a dispute ³, which had like to have cost him his life, with *Tigernac O Rourke*; who seems to have had some pretensions to the whole, or part, of that territory, in right of his wife, who was daughter to *O Melachlin*. To make some accommodation in the matter, a conference was appointed at a place, called *O Rourke's hill* from the event which then happened; both parties being to come thither attended only by a friend or two, unarmed, unless with the ordinary weapons of a sword on one side, and a short axe on the other; their followers being to keep aloof at a certain distance, and oaths taken for their mutual security. They met accordingly in the manner agreed: but after a long and warm debate, which, instead of accommodating, widened the difference, according to *O Rourke's* design, who proposed to gain his point by treachery, this prince retiring, under the pretence of a necessary occasion, to a small distance from the rest of the company, made a signal to a body of his men, planted in a valley below, to advance and fall upon his adversaries. *Maurice Fitz Gerald* was present at this conference: and his nephew *Griffin* having, in a dream the night before, seen a multitude of wild boars rushing upon his uncle and *Hugh de Lacy*, and one larger and fiercer than the rest, ready to pierce them through with his tusks, if he had not come in with a force and killed the boar, had, by relating it to him, possessed his mind with suspicions of *O Rourke's* treachery. To guard against it, *Griffin* had picked out seven other knights, in whose resolution he most confided; and kept with these, armed at all points, exercising themselves in the *French* diversion of a tournament, on a part of the hill, at such a distance as to give no occasion for jealousy, and yet near enough to arrive in time, if his assistance was wanted. *Maurice*, thus warned, had kept his hand on the hilt of his sword all the time of the conference: and when he observed *O Rourke* returning to them with his axe erect, a pale look, and hasty strides, drew it in order to be more ready against any attack: but *Hugh de Lacy* had been killed by the blow which the *Irish* prince aimed at him, if his interpreter had not, by a rare fidelity, interposed his arm to receive the mortal stroke, which severed it from his body. *Maurice*, having by a shout, given his nephew notice of the treachery; encountered *O Rourke* with his sword: and had the glory of defending *Hugh*, when he fell down twice, as they were fighting and retiring backwards to get nearer their friends, who flew immediately to their assistance. *O Rourke*, seeing them approach, ran to an horse, which three of his followers had brought him: but in the very act of mounting, both himself and his steed were pierced through by the lance of

¹ *Hibern. expugn.* l. ii. c. 5.² *Benedict. Abb.* p. 32.³ *Hibern. expugn.* c. 40.

HENRY II. *Griffin*. His three attendants were slain: and the rest of the *Irish*, who came running with their weapons to execute their prince's orders, were dispersed immediately, and cut down in great numbers, before they could shelter themselves in woods, which lay at a considerable distance. *Hugh* afterwards subdued a great part of *Westmeath*¹, and wasted *Longford*; killing in battle *Daniel O Farrel*, king of this last country, then called *Annalie*: but at last (*viz.* *A. D.* 1186) whilst he was building a castle at *Derwarth*, and holding his head down to shew a carpenter what he would have done, had it chopped off by the villain's axe; having escaped one treachery only to fall by another.

His absolution with regard to *Becket's* death.

XXVI. THE grants made by *Henry* of large countries to the most enterprising of his nobility, were agreeable to the method taken by *William the Conqueror*, for extending his territories on the marches of *England*: it was undoubtedly a very proper one for making conquests in those parts without any expence to the crown, though not for keeping a country in peace and order, after it was once subdued. The king had received so much benefit from the exploits and success of private adventurers, that he easily granted *John de Curcy* the leave he asked to attempt the conquest of the north of *Ulster*, the onely part of *Ireland* which had not yet submitted to his government: and having thus settled the kingdom as well as he could in so short a time, embarked² on *Easter Monday* (*April* 17) early in the morning, at the outward extremity of the harbour of *Wexford*, and landed the same day about noon at *Port Finan*, near *S. David's* in *Pembrokeshire*. It was so necessary for him to satisfy the legates, who were waiting for him³ (and had sent him comminatory, as well as commonitory, letters, though his orders had prevented their being delivered) and to prevent the ill effects of their impatience, that he made but a short stay in *England*: and passing through it with a traveller's expedition to *Portsmouth*, carried the young king his son over with him into *Normandie*. His first⁴ meeting with *Albert* and *Theodin* was at *Gorham*, on *Tuesday*, *May* 9; when nothing passed besides ceremony: but the next day at *Savigny*, where the archbishop of *Roüen* was present, with a great number of prelates and noblemen, they entered into a treaty; in which the cardinals insisted on such unreasonable terms, that the king went away in a fury, declaring "he would return to *Ireland*, where he had a great deal of work to finish, and they might do what they pleased in the execution of "their legatine commission." The legates, seeing his firmness, were obliged to sink⁵ in their demands: and sending for the bishop of *Lisieux*, with the archdeacons of *Poitiers* and *Salisbury*, got another conference appointed on the *Friday* following at *Avranches*; which terminated in an agreement. The terms of it were, 1. That the king should pay the knights templars a sum of money sufficient (at the rate of three hundred crowns a man) for the subsistence of two hundred knights to be employed in the defence of the *Holy Land*, for a year, beginning at the approaching feast of *Pentecost*. 2. That he should take the cross at the *Christmas* following for three years, and go in person the next summer to serve against the infidels, either there or in *Spain*, if the Pope insisted on his going. 3. That he should not hinder himself, nor suffer others to hinder, the free course of appeals to the court of *Rome* in ecclesiastical causes: but if he suspected any persons, he might oblige them to give security, that they would not, during their stay abroad, attempt any thing to the prejudice of the king or kingdom. 4. That he should not insist on the evil customs introduced in his own time, nor require the bishops to observe them: and, 5. That if any lands had been taken away from the see of *Canterbury*, he should restore them in the condition they were in the year before *Becket's* going

¹ Camden's *Britan. in Ireland, Westmeath.* col. 1421.

² *Hoveden. Hibern. expugn.* c. 37.

³ *Epist. S. Thomæ*, l. v. ep. 88, 89.

⁴ *H. Hoveden.*

⁵ *Chron. Gerard.*

out of *England*, and put all who had suffered on this prelate's account, whether clergy or laity, in full possession of their estates real and personal.

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THESE were as good terms as the king in his circumstances could possibly expect; being left by them at full liberty to assert all the ancient customs of his predecessors, which were all that he had ever contended for; except perhaps in the single article of appeals: and these too having been practised in their times by connivance, he had still a power of restraining, whenever he thought fit to suspect the designs of the litigants. The young king was not present at this transaction: and being to swear, as well as his father, to the articles, the next *Sunday* (being that immediately preceding the feast of *Ascension*) was appointed for this solemnity, which was accordingly performed in the cathedral of *Avanches*. It was opened by an oath, which *Henry*, without any injunction, and purely of his own motion, freely took, that he had neither desired nor ordered *Becket* to be killed, and that the news of it had given him a great deal of concern: but as the uneasiness appearing in his looks, and the complaints he had made of the archbishop's proceedings, had given occasion to the assassins to form and execute that resolution, he was ready to perform the penance enjoined him for that offence. This was contained in the articles abovementioned, which he took an oath to observe: and being then led out of the church by the legates, was, after falling on his knees, and receiving absolution, led back into it again, without undergoing the discipline, shifting his cloaths, or any other ceremony usual in the reconciliation of penitents. The young king took the like oath, and, in case his father was by death, or any other cause, hindered from completing the penance enjoined, obliged himself to supply the defect. There was still another oath taken by them both, which, not being mentioned in the articles, seems to be entirely voluntary on their part: they swore, that so long as the Pope owned them for *Christian* and catholic kings, they would adhere to *Alexander* and his successors. When all the ceremony was over, the legates signed, and put their seals to, a writing, certifying what had passed to all the world: but it being deemed proper to notify it in a more particular manner to the kingdom of *France*, they summoned the archbishop of *Tours* with his suffragans to attend them on *May 23*, the *Tuesday* next after the *Ascension*, in order to apprize them of the whole proceeding.

THE legates, after adjusting this reconciliation with the Pope, seem to have been desirous of effecting another between *Henry* and the king of *France*, *Alexander's* ally: and pressed the former to give *Louis* the satisfaction he had formerly promised, for the affront put upon his daughter, by causing her to be crowned together with her husband. With this view the young king and *Margaret* were sent¹ over to *England*; and on *Sunday, August 27*, she was anointed, and both were crowned in the church of *S. Swithun* at *Winchester*, by the archbishop of *Roën*, assisted by the bishops of *Evreux* and *Worcester*. It was, in the vacancy of the see of *Canterbury*, the right of the bishop of *London* to officiate² at the coronation; and that prelate, having had his suspension taken off on *May 1*, was undoubtedly qualified to perform the office: but the king of *France* insisting, that neither he, nor the archbishop of *York*, nor the bishop of *Sarum*, the chief actors in the young king's former coronation, should bear any part in this, *Henry* complied with his request; perhaps the more readily, because it would afford another precedent to enervate the claim of the church of *Canterbury*. The two *Norman* prelates returned soon after the solemnity was over: but young *Henry*³, with his queen, staid in *England* till the beginning of *November*; and then passing into *Normandie*, they went about *Martin-*

¹ *Chron. Gervaf.* col. 1421. *Brompton*, col. 1080. *Hoveden*. ² *Diceto*, col. 560. ³ *Rob. de Monte. Triest.*

HENRY II. *mas* to the court of *France*, where nothing was omitted to make their abode agreeable.
A. D. 1172.

The rebellion
of his sons.

XXVI. THIS visit was made at the earnest request of *Louis*, who was extremely fond of his daughter, and had not seen her for several years: and there was no denying a request that appeared so natural and reasonable; though there was good reason to suspect it was made with a political view, rather than out of a paternal affection. *Louis* was not a little uneasy at the prosperous condition of *Henry's* affairs; who was now better obeyed in *Normandie*, than any prince ever had been since the time of the *Conqueror*, and enjoyed a larger revenue in that country. He had added the kingdom of *Ireland* to the crown of *England*: and by the death of *Conan le Petit*, the year before, was become master of all *Bretagne*; which united, and contributed much to secure, all his dominions on the continent. He had lately made an alliance with *Alfonso* king of *Castile*, by giving him his daughter *Eleanor* in marriage: and he was actually engaged in a treaty for marrying his youngest son *John*, just entered on the seventh year of his age, to *Adelais* daughter of *Humbert*, count of *Maurienne* and *Savoie*, on very advantageous conditions. He was on the point of adjusting all differences with the count of *S. Gilles* in relation to *Toulouse*, upon the count's submitting to do homage for it to *Henry's* second son *Richard* as duke of *Guienne*; to pay every *Lent* a tribute of an hundred marks of silver, or ten managed horses of that value; and to come upon summons to serve in his army, with an hundred men, for forty days, at his own expence. The late reconciliation with the Pope had put an end to all the difficulties, which had hitherto traversed the felicity of *Henry*; his subjects in all his territories enjoyed a profound quiet, and obeyed him with pleasure: and he was now grown so formidable to *France*, that *Louis* thought it necessary to lessen his power by dividing it, and by raising him up enemies within his own family, in order to create disturbances in his dominions.

HE could not have found a fitter instrument for this purpose than his son-in-law young *Henry*; who having been crowned king, might, under the colour of that title, take off the odious name of rebels from his adherents, and by the certainty of his succession, secure their estates from being, by a forfeiture, lost to their families. This prince was of a stature somewhat above the middle size; handsome in his person; gentle, mild, and merciful in his temper; affable in his behaviour; liberal and good-natured to such an excess, that he never denied any request, nor suffered any one to go from him disobliged: but his bounty was exercised without judgment or distinction of persons; considering less the merit, than the indigence of the object, and treating good and bad with the same kindness. These qualities made him generally beloved, and procured him abundance of followers; but of such chiefly as sought to make their fortunes by abusing his goodness, and to put the too easy prince upon measures more conducive to their own selfish views, than agreeable to his duty, interest, or glory. In a time of war, he seemed to forget the sweetness of his nature; being fierce in battle; eager for bloodshed; daring, intrepid, desirous of nothing so much, as of occasions to shew his valour: though when none offered, he seemed equally fond of displaying his address in the sham-encounters of a tournament. Vanity, with a desire of pleasing, and lust of praise, seem to have been the fundamental qualities of his nature, and the source as well of his undistinguishing liberality and affectation of popularity, as of the universal clemency, he exercised, in contempt of justice, and to the encouragement of iniquities. But the strongest of his passions, was an ambition, too boundless (as *Giraldus*⁴ says) for the whole

¹ *Hoveden.*

² *Gul. Neubrig.* l. ii. c. 27.

³ *Topogr. Hib. Dist.* 3. c. 49, 50.

⁴ *Ib.*

world

world to satisfy; and which stifling in him all the sentiments of nature, all the HENRY II.
A. D. 1172. obligations of duty, all reverence for the wisest of princes and the best of fathers, hurried him on, with an irresistible violence, into the shocking crimes of ingratitude, rebellion, and parricide. At his coronation dinner, when the king, moved by a father's fondness, carried up the first dish, and observed to him, *that no monarch was ever more honourably served*, instead of making a becoming reply, he said in a whisper to the archbishop of *York*, who sat on his right hand at table, "that it was no condescension in the son of a count of *Anjou*, to serve the son of a king of *England*;" so impossible is it to oblige a proud and haughty spirit by any act of favour or condescension, whilst he looks upon every thing as due to his fancied merit and dignity. When that solemnity was¹ over, the king ordered a new great seal to be made for his son; and returning to *Normandie*, left him the government of the realm, with powers to dispose of offices, and administer justice to all persons: but the young king being to act by the advice of a wise council, appointed to assist him in the administration, this restraint, not improper for a youth of fifteen, and to which the most experienced monarchs submit out of prudence, dashed all the pleasures he would else have tasted in royalty. He wanted to govern of his own head, and to be left intirely to himself; aspired to the whole power of a king, now he had got the title: and could not endure to be where the old king was; thinking his own dignity eclipsed by his presence, and feeling then, more sensibly than at other times, his authority to be only subordinate to that of his father. What offended him still more was², that the king having provided for the splendor of his court, did not allow him money enough to glut the avarice of his worthless favourites, the corrupters of his youth; and to supply the extravagance of a prince, who lavished it away upon all the world, and would have spent the wealth of the *Indies* in the single article of tournaments.

THESE seeds of discontent were diligently cultivated by those about the young king's person³; particularly by *Hugh de S. Maure*, and *Ralf de Faye*, queen *Elcanor's* uncle: and the fruits thereof began to appear, whilst his father was in *Ireland*; who from that time took care to keep him as much as possible under his eye, though the prince was industrious in seeking all occasions of absence. It was probably in concert with the king of *France*, that pretences were found out for drawing him to that court; where every thing was done, that could enflame his discontents and irritate him against his father. There it was suggested⁴, among other things, that *Henry* had, by the coronation of his son, resigned to him all his right to the crown, and that the young king ought to reign alone; a suggestion the most improper to be advanced in a country, where the kings had for many generations crowned their sons in their life-time, without quitting any part of their own power; but which, notwithstanding the constant practice of his ancestors and of his own, *Louis VII* was not ashamed to urge, in the answer he gave soon after to the *English* ambassadors sent him upon the quarrel that ensued. The king, uneasy at his son's stay, too long for a simple visit, in a court where he had good reason to suspect designs were forming to his prejudice, sent for him back: and the prince returned, fully instructed in the measures he was to take for beginning a rupture with his father. *Louis* advised him to propose⁵, as soon as he returned to the old king, that he would resign to him either all *England*, or all *Normandie*; and in case of a denial, to retire with his queen into *France*, where he should find a sure refuge, and be assisted with forces to support his pretensions. The young king⁶, making the demand

¹ *Benedict. Abb.* p. 5.² *Gul. Neubrig.* l. ii. c. 27. *Brompton*, col. 1083.³ *Al. Paris.*⁴ *Gul. Neubrig. ib.*⁵ *Benedict. Abb.* p. 37, 46. *Hoveden*, p. 531. *Chr. Gevraf.* col. 1424.⁶ *Ib. Rob. de Monte.*

HENRY II. pursuant to this advice, was refused: and passed the *Christmas* at *Bonneville* in *Normandie*, full of resentment.

A. D. 1173.

HENRY, with his queen *Eleanor*, having kept the same festival at *Chinon* in *Touraine*, sent for his son thither in order to proceed to *Limoges*; where their presence was necessary on *Feb. 2*, for the dispatch of several important affairs. They were there met by *Raimond* count of *St. Gilles*, who came to do homage to them both, and to prince *Richard*, as duke of *Guienne*, for the county of *Toulouse*; and by *Humbert* count of *Maurienne* and *Savoie*; whose business was to finish the treaty of marriage agreed to between prince *John* and his daughter *Adelais*. The lands, which *Humbert*¹ had consented to give with *Adelais* and to settle on her husband, contained the most considerable part of his demesnes in *la Bresse*, *Dauphiné*, *Savoie*, and *Piedmont*, with the fealty and homage of all his vassals in those parts, and the succession of all his dominions, in case he died without issue male: and the king, besides the payment of five thousand marks of silver at different times, was to make his son a grant of the castles of *Loudun*, *Mirebeau*, and *Chinon*. This alliance, had it not been prevented by the young lady's death, would have been very advantageous to the king of *England*, and full as dangerous to *France*; the territories whereof lay much exposed on the side of those provinces: and *Louis* apprehending terrible inconveniences from being as it were invested by enemies in so many quarters, did his utmost to prevent its taking place; and was seconded in that design by his son-in-law, who absolutely refused to join in the grant of those castles to his brother. The young king², after this open declaration of his animosity, kept no measures with his father; never spoke to him with temper; and observed a conduct so expressive of a settled aversion to him, that *Henry* imputing it to the evil advice of those about him, and being confirmed in his notion by some information he received from the count of *Toulouse*, removed *Asculf de St. Hilaire*, and some other young knights, from about his person. This only hastened the execution of the resolution, which young *Henry* had formed, of getting away from his father: and upon the court's return to *Chinon*, a little before *Mid-lent*, he stole away privately in the night³, and passing through *Alençon* and *Argentan* with great expedition, arrived on *Thursday, March 8*, in the *French* territories. The king followed him to the first of those places: but finding it impracticable to overtake him, and apprehending his flight to be a prelude to some attempts of the *French* upon the garrisons of *Normandie*, went to *Gisors* and visited all his castles in that country; putting them all in the best posture he could, for defence, and dispatching orders for the same care to be taken on the frontiers of *Guienne*, and all his other transmarine dominions. Upon the young king's departure, *Richard de Barre*, his chancellor, returned to *Henry*, and delivered the seal in his custody: the officers and servants of his son's household took the same party, bringing with them his carriages and furniture; but⁴ these the old king was so far from detaining, that he ordered them to carry every thing, with rich presents of horses, plate, and apparel from himself, to his son, and to serve him faithfully. They went upon these orders to the young prince: but were not permitted to continue in his service, unless they would swear fealty to him *against his father*, a condition to which they all, except three, submitted.

THE king, desirous to prevent a war, which could not be carried on with any satisfaction, or end with any advantage to him, sent ambassadors to the court of *France*, to represent the iniquity of supporting a rebellious son in his unnatural measures against his father, and to make *Louis* the offer of submitting all the young prince's pretensions to his arbitration. It was the interest of that court to enflame

¹ *Benedict. Abb.* p. 38. *Hoveden*, p. 532, 533.

² *Rob. de Monte. Chron. Vascienſe.*

³ *Benedict.* p. 47.

⁴ *Ib.* p. 49. *Brompton*, col. 1084.

the difference between the father and son, and by pushing the latter on to the greatest extremities, to render the breach irreconcilable. The offer was accordingly rejected with disdain; *Henry's* right to the title of king was denied in a taunting manner: and by pretending that he had resigned all his right to the crown of *England* upon the coronation of his son, *Louis* in effect demanded, that he should resign to him all his dominions. Such a resignation would not have been disagreeable to abundance of the *Norman* nobility: who upon the late inquisition into the demesnes of the dutchy, alienated since the decease of *Henry I.*, had been turned out of considerable estates; which they were found to possess by defective titles, and to have usurped during the troubles and confusion of the country under *Stephen's* government; and were now in hopes of recovering, by the good nature, bounty, or profuseness of the son, what they had lost by the father's justice and economy². Interest is a quick and strong principle of action; and no sooner had the young prince retired to the court of *France*, than he was followed thither by many of the gentry of *Normandie*: whilst the more considerable barons, who had castles on their lands, as the counts of *Eu*, *Meulant*, and *Ponthieu*, *Bernard de la Ferté*, *Galerend d'Ivry*, *Jocelin Crispin*, *Gilbert de Tillicres*, *William Patric* the elder, with his three sons, *Hugh de S. Maure*, *Robert de Montfort*, *William*, chamberlain of *Tancarville*, and others declared for him, and gave him possession of their fortresses. *Guy* and *Geffry de Lezignan*, with a great number of the lords of *Anjou* and *Guienne*, followed their example: and in *Bretagne*, it was always in the power of the king of *France* to raise an insurrection whenever there was any prospect of its being attended with success, by the means of two noblemen whom he had always supported, *Ralf de Fougères*, and *Eudo* viscount *Porboet*, father-in-law to the late duke *Conan*; who having for former rebellions been deprived of all his estate, but the country of *Guingamp*, was in hopes of recovering it on this favourable occasion.

THESE insurrections became the more dangerous, and spread the wider, through the encouragement given to them by queen *Eleanor*, the natural sovereign of *Guienne*; who being left behind in those parts, with the princes *Richard* and *Geffrey*, when the king went from *Limoges* into *Normandie*, took part against her husband, and embarked her sons in this unnatural rebellion. A conduct so undutiful and extraordinary wanted certainly some pretence to gloss it over: yet our old historians, assigning no manner of reason for it, have left it utterly unaccountable. Some moderns indeed, perhaps upon the credit of an old ballad, or out of the abundance of their imagination, have imputed it to the queen's resentment of *Henry's* amour with the fair *Rosamund*, daughter of *Walter de Clifford*, an *Herefordshire* baron: but this was too stale an affair to serve for an apology, or to be any of her motives in the present case; and she had the less reason to complain of it, because she could not but know it before her marriage with *Henry*. If the queen's charms were faded by a wedlock of thirty six years, those of *Rosamund* could not but be impaired after twenty four years acquaintance with *Henry*; who was not above sixteen, when he first fell in love with this beautiful young lady: which seems to have been in *A. D.* 1149, whilst he was in *England*. He had by her two sons, *William Longue Espée* earl of *Salisbury*, and *Geffrey*, elected in *May* this year to the see of *Lincoln*; who by his constant affection, fidelity, and adherence to his father, and zeal in his service, deserved from him the encomium, *that he had proved himself to be his true and legitimate offspring, whilst his other sons had acted, as if they were really bastards*. *Geffrey* was the younger of *Rosamund's* sons, and at this time (as *Giraldus Cambrensis* ⁴ says in his life) above twenty years old: and as it is certain that the king never

¹ *Diceto*, col. 570. ² *Triveti Annal.* *Benedict. Abb.* p. 51, & seq. ³ He was not in *England* from that year, till *A. D.* 1153, the year after his marriage with *Eleanor*. ⁴ *Angl. Sacr.* t. ii. p. 380. 388. 378. had

HENRY II. had any more children by her, it is very probable that their commerce broke off upon his marriage with *Eleanor*, and that the young lady, by a natural effect of grief and resentment at the defection of her lover, entered upon that occasion into the nunnery of *Godstow*: where she died probably before this rebellion; there being several ¹ benefactions made by her relations to that monastery, and confirmed by this king, in which she is mentioned as a deceased person. If to this be added, that illustrious testimony ² given to *Henry's* conjugal chastity by the *English* bishops, and clergy, assembled in a convocation of the province of *Canterbury*, in their letter to Pope *Alexander*, in the heat of the dispute with *Becket*, when every idle story or calumny was caught at and spread, to blacken, if possible, this prince's character, there is very little reason to imagine, that any jealousy of that nature was the motive of *Eleanor's* conduct. This seems rather owing to her ³ high spirit, turbulent temper, and a certain perverseness in nature, the source of the uneasy life she led with her first husband, and which seldom lessens in a lady with an advance in years, and a decay of beauty, too apt of themselves to put the once young and fair out of humour. *Henry* enjoyed in her right a vast tract of country, running from the *Loire* to the *Pyrenees*: but allowed her so small a share in the government of her own dominions, that she seemed little more than a cypher, and made but an inconsiderable figure; a circumstance that could not fail of exasperating a woman of her haughty spirit: and this seems to have been the common, though unreasonable, cause of the rebellion.

If the king had any failing, it was an excess of affection to his children, whose good he consulted, rather than their inclinations: he had associated the eldest in the kingdom of *England*, and had made the nobility of that country, of *Normandie*, and of *Anjou*, swear fealty to him, to ensure him the succession of his own hereditary dominions. He had taken the like precaution, to secure as well to his second son, the succession of *Guienne*, his mother's inheritance, as to the third, the enjoyment of *Bretagne*, which was his own acquisition; and had conquered *Ireland*, to be a portion for his youngest: but their father not being above forty years old, the three first were too impatient to get into possession of the territories designed them respectively, to wait for it till his decease. *Henry*, the best and wisest monarch of the age, was to be turned out, to make way for his eldest son of the same name, and eighteen years old; who, told by his flatterers, and encouraged to think so by his father-in-law, the enemy of his father and family, fancied himself capable of conducting the affairs of two such difficult countries to govern, as *England* and *Normandie*, in so early a youth as would, in the judgment, and by the laws of the wisest nations of *Europe*, have rendered him, for his own sake, unfit to be trusted with the management of a private fortune. *Richard* was but fifteen, and *Geffrey* but fourteen years old; yet, boys as they were, they still thought themselves fit for empire: and were persuaded by their mother ⁴ to fly with their elder brother, who came privately to fetch them, to the court of *France*, and join with him in the common cause of dethroning their father. *Eleanor* herself, laying aside her female dress, attempted to follow them: but was taken in her disguise, and kept in close custody for many years, as having been the principal author of all this conspiracy. She seems to have declared herself so, before her person was put under an arrest ⁵; as appears from the letter of

¹ *Monastic. Anglie.* t. ii. p. 88. One of these was by *Osbert Fitz Hugh*, whose younger brother *Hugh de Saye* seems to have at this time succeeded to his estate. See *Dugdale's Baronage*, t. i. p. 453, 454. ² *Ep. S. Tho.* l. i. ep. 128. Among other of *Henry's* virtues, which cannot be denied him, he

is said to be, in *copula castimonie conjugalis honestissimus.* See *Hoveden*, 511.

³ *Chron. Gervasi.* col. 1424.

⁴ *Gul. Neubr.* l. ii. c. 27. *Benedict. Abb.* p. 48. *Chron. Gervasi.* ib. ⁵ *Petr. Blesensi.* ep. 154. *Baron. Annal.* t. xii. p. 826.

Rotrou, archbishop of *Roüen*, wrote in vain to admonish her of her conjugal duty, and to threaten her with excommunication, if she did not return to her husband¹. There never was a letter wrote with greater decorum and affection, in more persuasive and moving language, or more fully representing the folly, the ingratitude, and the iniquity of these unnatural measures of the king's sons, than another which the same prelate wrote to young *Henry*: but with the same ill success as the other. This prince was so hardened in his unnatural courses, and breathed so mortal an hatred against his father, that this archbishop and *Arnulf* bishop of *Lisieux*, after they had discharged their embassy at the court of *France*, and found it obstinately resolved there, not to hearken to any accommodation, thought it necessary in their letter², giving an account of their negotiation, to recommend to the king to take care, that his fortresses were well provided, but above all things to guard against poison and an assassination; "there being not only a resolution taken to destroy his territories with fire and sword, but an execrable design formed against his person."

HENRY II.
A. D. 1173.

THESE prelates, after a fruitless embassy at *Paris*, were sent on another to the Pope, with letters from the king³; which it may not be improper to mention, because the misconstruction of a passage therein hath afforded some persons an handle to throw an undeserved reproach upon his memory. When princes had for some time received oaths of fealty and homage from those lay-persons, to whom they granted benefices, fiefs, and offices, the same method came to be used in the case of pay, pensions, and stipends: and the church, in imitation of the state, soon adopted it into her practice. Hence arose the oath of canonical obedience, taken by the inferior clergy to their superiors, by bishops to their metropolitans, and by these to the Pope; a practice scandalous enough in its original, and much abused to the oppression and enslaving of all subordinate orders in the hierarchy; whilst an obedience to all the commands of their superiors was exacted from them, though they had sworn only to obey such as were authorized by the canons. All ecclesiasticks, that took these oaths, were deemed to stand in the same relation to their superiors, that lay-feudataries were in to their lords: and the king having, at his reconciliation after *Becket's* murder, taken a voluntary oath that he would always adhere to the communion and obedience of Pope *Alexander* and his successors, considers himself in this letter to be on that account a sort of feudatary, and his realm of *England* as under his jurisdiction, *i. e.* in spiritual matters; and desires him to make use of his spiritual authority for the reclaiming of his rebellious sons, since he could not himself throw off the father so, as to punish them with material arms according to their demerits. The Pope accordingly excommunicated⁴ all in general that opposed the king: but as the court of *Rome* is slow in its proceedings, where its own interest is not immediately concerned, this censure was not published till the year following, when it appeared what turn things were taking; about the time that the new archbishop of *Canterbury* denounced at *Caen* the like sentence against all the king's enemies, without excepting any body, not even the young king⁵, to whom he had previously sent a comminatory letter in his own name, and in that of his suffragan bishops in *England*, notifying to him, that they should issue it, if he did not repent within a fortnight.

It was of the greatest consequence to *Henry's* affairs, to have that see filled with a person of a quiet disposition, that would not raise disputes and troubles in the realm, and was very affectionate to his person and service: but no step was taken for that purpose, till after his purgation of the death of *Becket*. The king then being at full liberty to act and make use of his prerogative, the council⁶ that

¹ *Baron. Annal.* t. xii. p. 820. *Petr. Bluf.* ep. 33. ² *Ib.* ep. 153. ³ *Ib.* ep. 136. ⁴ *Ib.* ep. 69.

⁵ *Ib.* ep. 47. ⁶ *Chron. Gervaf.* col. 1422, 1423, 1425. *Diceto*, col. 560.

HENRY II. directed his son's measures, as soon as the joint coronation of this prince and his wife was over, sent for *Odo* the prior, and the monks of the church of *Canterbury*, to come immediately to court, and proceed to an election. They came on *September 1*, and insisted on what they termed a free one, that is, an election, not by deputation, or in the way of compromise (which was the usual practice) but made by all the monks assembled in chapter¹, without the concurrence of any other body; though the suffragans of the province were as much interested in the choice of their metropolitan, as the chapter of the see could be in that of their particular bishop. They were sent back to consult their convent, and ordered to return in three weeks, with a more agreeable resolution: but when they attended again at court about *Michaelmas*, they thinking it a favourable juncture for carrying a point they had much at heart, persisted in the same demand, and were ordered to go to *Normandie*, to know the king's pleasure. *Odo* went thither: and *Henry* representing the mischiefs that would attend the choice of a person of *Becket's* temper, besought him to use his credit with the monks for the election of *Henry* bishop of *Bayeux*, a prelate of great temper, prudence, and merit. Upon the prior's² return to *England*, delegates were sent from the convent to an assembly of the bishops and clergy convened at *London*: but nothing was done by reason of the refractoriness of the monks; who still insisted on having the sole (so they called a free) election, exclusive of the bishops of the province. This was so contrary to the practice of the whole *Christian* church in the first ages of the gospel, and to the custom of the church of *England* in particular, that the monks, reflecting more coolly on their proceedings, began to be apprehensive of falling into some inconveniences by their obstinacy: and meeting in the beginning of this year in chapter, pitched upon three unexceptionable persons, whom they recommended to *Richard de Lucy*, guardian of the realm, in order to the admission of some one of them by the bishops and king's approbation. *Richard*, delighted that the affair had taken this turn, convened the *English* bishops at *London*, and the prior attending with some of the monks, *Roger*³ abbot of *Bec* was chosen on *March 2*, with the approbation of the bishops, and confirmed by the royal assent. *Odo* went over to *Normandie* to fetch the elected prelate: but notwithstanding all the instances, which he, or the king, or the Pope's legates could use, *Roger* absolutely refused to agree to the choice made of his person: and on *April 5*, the *Thursday* before *Easter*, his election was set aside. *Henry* was the more uneasy on this occasion, because the rebellion of his sons was now declared: and thought it proper to gratify *Odo* and his monks by some concessions; by making *Mary*, *Becket's* sister, abbess of *Berking*, at the request of the former, and by giving up to the latter a disputed manor, with an additional grant of others in *Shepey*, amounting to thrice the value of what they claimed. He found now by experience, that there is no obliging a body of men, when they have an opportunity for exerting privileges, flattering their wishes of an independency: for a convocation meeting in the latter end of *April* at *London*, the monks would not retract their demands of a free election, though they insisted more peremptorily on the choice of one of their own body. The bishops⁴, thinking it most advisable to begin with business that admitted no dispute, advised *Richard de Lucy* to give the royal assent to the elections made by the chapters of the six vacant sees of *Winchester*, *Ely*, *Hereford*, *Bath*, *Lincoln*, and *Chichester*, which were all filled with persons agreeable to the king's wishes: and then proceeded to the affair of *Canterbury*. As the suffragans of the province, and the monks of *Christ-Church*,

¹ What they meant by a *free election*, contained likewise a restriction against choosing any but one of their own body. See *Monastic. Angl.* t. i. p. 464.

lin. 57.
c. 48.

² *Hist. du Diocèse de Bayeux*, p. 1.
³ *Diceto*, col. 561. ⁴ *Ib.* col. 568.

were both to concur in the election, there was no adjusting the order and circumstances of it between them : and they were obliged at last to refer the matter to the king; proposing two persons, both bred in the convent of *Canterbury* (viz.) *Odo* abovementioned, and *Richard* prior of *Dover*, that he might choose which of them he best liked. *Henry* declared openly for neither : but sent private instructions to *Lucy* and *Reginald* earl of *Cornwall*, in favour of *Richard*, a man of great modesty, sweetness of temper, and affability; who was accordingly elected by the bishops in *St. Catharine's* chappel at *Westminster*, and approved by the justiciary there present on *June 3*, being *Trinity Sunday*.

HENRY II.
A. D. 1173.

THIS prelate made his entry into *Canterbury* on the *Saturday* following, attended by a great number of the bishops and clergy of the kingdom, in order to be consecrated the next day: but when every thing was prepared for the solemnity, the bishops of *London*, *Exeter*, and *Worcester*, were served with writs from young king *Henry*; forbidding the consecration, as well of the new primate, as of the other bishops, as not instituted by his assent, and denouncing an appeal, which he had made to the Pope, and lodged with the legates in *Normandie*. This occasioning a dispute among the bishops, it was at last agreed to defer the consecration; and that, agents being sent to the Pope with the letters of all the bishops and the convent of *Canterbury*, the archbishop elect should follow soon after in person. When he came to *Anagni*, where *Alexander* resided, he found the like variation of opinions in the conclave; the *French* faction maintaining, with all their might, the authority of the young king; though condemned by the laws and maxims of their own country, where the practice of crowning sons in their father's life-time first began, and contrary to the rules of the court of *Rome*; according to whose doctrine, the unction of the young king was not valid, for want of a competent administrator¹. This controversy serving for a pretence to delays, always affected till events shew which of the litigants is like to have the advantage, the affair was drawn on till the next year; when upon a current report, that the two kings were agreed, and *Richard's* pretending to go away immediately, if the matter was disputed longer, his election was confirmed on² *April 2*: and the Pope consecrated him the *Sunday* following, being the second after *Easter*; gave him the pall; and soon after the primacy; and at length constituted him his legate in the province of *Canterbury*. In his return from *Anagni*, he met the king just landed from *England*, near *Caen*: and arriving at *Canterbury* on *October 5*, he consecrated the next day four of the bishops elect, having on the road done the same office at *S. Jean de Maurienne* to *Reginald* of *Bath*; *Geffrey*, the king's natural son, declining sacerdotal orders, in order to serve his father in civil and military employments.

It was indeed a very difficult matter for the king to know whom to trust in the present situation of his affairs³; when those whom he had most obliged by his favours, who were nearest his person, and had the most of his confidence, either openly deserted him, or acted coolly in his service. In this distress, he found a resource in the treasure, which his good œconomy had preserved, and took into his pay twenty thousand *Brabantins*, a sort of *freebooters*, or *banditti*, so called, because some of their chief leaders were natives of *Brabant*. But the main body of them consisted of the refuse and most abandoned persons of *France*, *Germany*, and the *Low Countries*; who roved about for plunder in all those regions, doing infinite mischief; and were always ready to fight under the banner of any prince that would pay them well, and had occasion for their service. They were hardy, enterprising, and experienced warriors, fitter for action, than any other troops he could have levied; and when duly paid, more to be depended on, in a time of so general a

defection,

¹ *Diceto*, col. 580.
Neubrig, l. ii. c. 27.

² *Chron. Gervaf.* col. 1426. *Benedict. Abb.* p. 80.

³ *Petr. Blef.* ep. 136.

HENRY II. defection, that no part of his dominions was free from the contagion of disloyalty; and some of the most considerable of his subjects, particularly the earls of *Chester* and *Leicester*, had taken part in the rebellion. The love of their country, the sense of duty, the obligations of honour, giving way to the general disposition in people of courting the rising sun, and to the selfish views of those who proposed to themselves vast advantages from the vain and unthinking prodigality of the young prince, the king soon found himself betrayed by the persons, to whose fidelity he had entrusted several of the strongest castles in *Normandie*. This obliged him to throw a good number of these *Brabantins*, called also *Routiers* and *Cotereaux*¹, into the fortresses which lay most exposed: and he kept the rest about him in a body, ready to march wherever the enemy should offer to invade his territories.

THE league formed against him soon appeared to be very formidable. The king² of *France*, who was at the head of it, summoning all the prelates and nobility of his realm to *Paris* at *Easter*, took an oath in their presence, that he would assist young *Henry* and his brothers with all his power against their father, and carry on the war, till he was driven out of the kingdom of *England*. The young princes had before taken a like oath, that they would never quit *Louis*, nor make any peace with their father, without the consent of the *French* king and his barons; who all, following their lord's example, swore to assist them to the utmost of their power. The nobility of *France* in general were at that time able to bring considerable forces of their own into the field, independent on the authority of the crown: but the most eminent among them were *Robert* count of *Dreux*, brother to *Louis*, *Henry* count of *Troyes*, and *Theobald* of *Blois*; to which may be added, *Philip* count of *Flanders*, and his brother *Matthew* of *Boulogne*. The cause being too infamous for any body to espouse, without a prospect of great advantages to themselves, it was necessary for young *Henry* to purchase their assistance: and the king of *France* had caused a new great seal to be made for him, that he might do it in due form, and alienate whatever he pleased of the demesnes of the crown of *England*; in the diminution whereof *France* was sure to find her advantage. Thus the young prince made the count of *Flanders* a grant of rents to the amount of a thousand pounds a year in *England*; besides all *Kent*, with the castles of *Dover* and *Rocheſter*, reputed in those days the keys of the kingdom, and affording *Philip* an easy entrance into the realm, and safe passage to the very gates of the metropolis, whenever he should find a proper opportunity for making an invasion. The whole ſoke of *Kirketon* in *Lindſey*, and the county of *Mortain* in *Normandie*, were given to the count of *Boulogne*: and *Theobald* of *Blois* had the grant of an annuity of five hundred pounds *Angevin* money, with the castle of *Amboiſe*, and all *Henry's* possessions in *Touraine*; besides a release of all the right, which either himself or his father claimed in *Chateau-Renaud*. All these princes did homage to young *Henry* for their grants: and the same condition was stipulated in the name of *William* king of *Scotland*; who entered also into the league, and in consideration of his service, had a grant for himself of all *Northumberland*³ and *Cumberland*, and for his brother *David*, of the county of *Cambridge*, to be annexed to that of *Huntingdon*. The young prince, besides an infinite number of promises which he lavishly made, without giving the same security for their performance, passed abundance of other grants under the same seal; particularly of all the honour of *Eye*, and the castle of *Norwich*, to *Hugh Bigot* and his heirs for ever. The rest are omitted by cotemporary writers, as too numerous and tedious to be specified; though

¹ Perhaps from their infesting the roads, and ravaging the country in bands, or because they were chiefly composed of peasants and cottagers, who, in times of war, quitting their rustic business,

took to arms, and subsisted by pillage.

² *Benedict. Abb.* p. 49, 50, 51. *Chron. Gerard.* col. 1424.

³ *Ferdin.*

they indicate plainly, how much the crown-revenue was to be impaired, to bribe people to join in this unnatural rebellion.

HENRY II.

A. D. 1173.

It broke out¹ immediately after the holidays in various places at once, in *Normandie*, *Guienne*, *Anjou*, and *Bretagne*; all those countries being made a scene of blood and desolation, by the ravages of an infinite number of parties, that over-ran all the quarters thereof: whilst *Henry* lay still with his main army, waiting to see, what was the chief intent of this general commotion; who continued faithful to him; and where his enemies would make their greatest efforts. This appeared in *June*, the usual time for princes to take the field²; *Philip* count of *Flanders*, with his brother *Matthew* count of *Boulogne*, marching with a numerous army through *Picardie*; and on the twenty-ninth of that month investing *Aumale*, a place provided with a strong garrison, and all things necessary for a long defence. But count *William*, lord of the town, being secretly in the interests of young *Henry*, soon made a collusive treaty with the enemy: and surrendering it on the dishonourable condition of being, with all the defendants, made prisoners of war, derived from thence a pretence for delivering up all his other castles for his ransom. *Philip*, encouraged by this success, laid siege, on *July* 6, to *Neufchatel*, and notwithstanding the gallant defence made by lord *Bardulf*, took it in about a fortnight, after several attacks: but having reduced the country of *Eu*, his brother, and presumptive heir, the count of *Boulogne*, was mortally wounded in their march to *Arques*, by a *Brabantin*, with an arrow. This accident, which was observed to happen on St. *James's* day, on which, five years before, *Matthew* had sworn fealty to *Henry*, put a stop to the count's farther enterprizes: and he retired with his forces into his own country. This is generally imputed to a remorse, at being concerned in this unnatural war, occasioned by *Matthew's* wound; though it seems only done to take care of his brother's cure, who was carried thither, and to provide for his own affairs. This last he did by prevailing with his brother *Peter*, just chosen to the see of *Arras*, to renounce that election, in hopes of succeeding to his dominions, and to receive knighthood; thus engaging him in a military life, which after a few years proved fatal to him, being slain in an encounter with the enemy.

THE king of *France* at the same time³, with a mighty army, in which were seven thousand knights with their followers, and an infinite number of foot (his whole realm, without respect of persons, having been taxed excessively to furnish out so vast an armament, and the neighbourhood horribly oppressed to supply them with provisions) fell on the side of the *Pais Chatrain* into *Normandie*, and invested *Vernueil*; which was bravely defended by *Hugh de Beauchamp*, constable of the castle, and *Hugh de Lacy*, who was come to the king's assistance, with *Richard Strongbow*, and a choice party of knights, out of *Ireland*. The town was exceeding populous, and consisted of three burghs, each separated from the other by strong walls, and ditches full of water, besides the castle: but the attack was made only on the *Great*, called also the *Queen's*, burgh; which was battered for a month together with military engines, and stood several assaults, in which the townsmen distinguished themselves by their bravery. But their numbers causing a great scarcity of provisions, they were forced to make a truce for three days, with leave to send the king of *England* notice of their distress, and to give hostages for surrendering the town at the end of that term, if they were not relieved. *Louis* himself, with his brother *Robert*, the counts of *Troyes* and *Blois*, and the archbishop of *Sens*, promised upon oath, to suffer no harm to be done to the inhabitants, and to restore their hostages, upon the performance of that stipulation. *Henry* was at this time, with above ten thousand of his *Brabantins*, and a good army of *Normans*, encamped

¹ *Chron. Gerv.* col. 1426. *Benedict. Abb.* p. 53. ² *Neubrig.* l. ii. c. 28. *Bened. Abb.* p. 54. & seq. *Chron. Gerv.* col. 1426. *Reb. de Monte.* *Diceto*, col. 571. ³ *Ibid.*

HENRY II. at *Conches*: and upon advice of this treaty, waited there a day longer, to be joined with another body of his forces, which the earls of *Arundel* and *Essex*, the count of *Vendome*, *Richard du Humet* constable of *Normandie*, *Richard Fitz-Comte*, *Jordan de Tesson*, *Richard de Vernon*, *Henry de Neubourg*, and other barons were bringing to his assistance. His numbers were still inferior to the enemy; but his soldiers being more experienced, as consisting of marchers and *Brabantins*, he resolved to venture an engagement: and advanced the next day to the castle of *Brcteuil*, which he had seized, upon the earl of *Leicester's* defection. His troops were drawn up in order of battle, and eager for action, when he was met by the archbishop of *Sens*, and the counts of *Dreux* and *Blois*¹; who always pretending great regard to *Henry*, were the fittest instruments that could be employed to trick him: and were sent by the king of *France* to propose a treaty of peace between him and his sons, and to agree on a truce for the next day; when the terms of it were to be settled in a conference between the two kings, and the young *English* princes. *Henry*, upon this agreement, retired with his army towards *Conches*: and advancing with it the next morning, being *Thursday, August 9*, to the place appointed for the conference, was strangely surprized at first to find no body there on the part of the king of *France*, and afterwards to see a black smoke, and presently after flames of fire, ascending from *Vernueil*. It was the peremptory day for the surrender of the *Great burgh* if not relieved; and at the hour fixed, it had been delivered up pursuant to the articles: which were ill observed by the *French*; the town being plundered and burnt, and the burghers with their goods and hostages carried away prisoners. *Louis*, after a trick too mean for a king to use, and a scandalous breach of faith which a man of honour would disdain, took care to compleat his ignominy by a shameful flight; not daring in so bad a cause, which those measures exactly suited, to run the hazard of an engagement with the enemy. This flight was so precipitate, that the *French* left their camp full of provisions and baggage: and was made in such disorder, that *Henry* pursuing and falling upon the rear of their army, cut off abundance of men, and entering *Vernueil* at the close of the evening, ordered the walls of the *Great burgh* to be repaired. The next day he took *Danville*, a castle belonging to *Gilbert de Tillieres*, with many knights and gentlemen in it: but not caring, out of respect to his lord (so he always termed the king of *France*) to make an irruption into his territories, and having, upon the dispersion of the *French noblesse*, after their forty days of service were expired, no further apprehensions of danger in that quarter, he marched back to *Rouen*.

From thence he sent a large detachment of his *Brabantins* towards *Bretagne*; where *Ralf de Fougères*² was re-edifying his castle: and being joined by the earl of *Chester*, *Asculf de S. Hilaire*, *William Patric* with his sons, had taken *Dol*, and some other places; not so much by force of arms, as by corrupting the garrisons. *Eudes* viscount *Porboet*, passing from thence into his own county, took the castle of *Ploefmel*, and fortified that of *Jocelin*: whilst *Ralf* infested the borders of *Normandie*, cut off a party of victuallers, coming without a convoy to bring provisions to the forces of the *Auranchin*, which had taken the field to oppose him; and burnt *St. James* and *Tilleul*. In the midst of this success, the *Brabantins*, used to long and expeditious marches, came upon him so suddenly, that he was very near being surprized: and was forced to fly in haste from *Fougères*; leaving behind him all the horses, goods, and cattle of his vassals and followers; which were taken in the adjoining forest, and afforded the greatest booty that ever was known to the enemy. Nor had he, and the rest of the rebels, better fortune in a pitched battle; which, uniting all their forces, they fought with the *Brabantins* on *Monday*³, *August 20*; their army being defeated with the loss of one thousand five hundred *Bretons* slain

¹ *Benedict. Abb.* p. 61.² *Ib.* p. 63, 64. *Rob. de Monte.*³ *Hoveden.*

on the spot, *Asculf de S. Hilaire* and *William Patric*, with sixteen others of the most considerable barons of the country taken prisoners, and the rest flying for refuge to the castle of *Dol*, where they were immediately invested by the *Brabantins*. Upon advice of this action, *Henry* hoping to terminate the war in *Bretagne* at once by taking all the heads of the rebellion, set out from *Rothen* on *Wednesday*, and arriving the next morning at *Dol*, found the town taken. Nor did the castle long hold out against the military machines that battered it; *Hugh* earl of *Chester*, *Ralf de Fougères*, with near a hundred other knights and barons¹ surrendering on the *Sunday* following, *Aug.* 26; as some say, on condition of having their limbs and lives saved, or (as² others, probably meaning the same thing, say) at discretion. They were all committed to safe custody for a time, except two of the chiefs, who engaging to be more faithful for the future and giving hostages for assurance of their promise, were set at liberty; such was the clemency and generosity which this great king exercised on this occasion upon persons that deserved to be treated with more severity. This was a terrible blow to the rebellious princes: their party was utterly ruined in *Bretagne*, and all that had taken arms submitting to *Henry's* mercy, that province was entirely quieted. The reputation of it extended farther³: and re-established the king's affairs in other parts of his foreign dominions: where seeing the vast efforts made by *France* and the number of princes confederated against him, abundance of those that were tied to him by the strongest obligations, were either deserting him daily, or were wavering in his service, as thinking him lost irrecoverably. This great success confirmed all that had staid with him in their duty; and as it happened contrary to all expectation, made them think his cause under the particular protection of providence.

HENRY was not so much elated with his success, as weary of a war, in which the blood of his subjects was daily spilt by their own swords, to the ruine of their country, and he saw himself obliged to exercise continual hostilities against his own sons; the impiety of whose conduct could not remove the fears he had of their falling into some fatal disaster. In this temper of mind, he readily hearkened to the proposal of a treaty for an accommodation⁴, which some about the young princes, seeing themselves not likely to reap the advantages they hoped, but rather in danger of being ruined by their revolt, put them upon making: and a conference was appointed for that purpose. It was opened between *Gisors* and *Trie*, and held for two days between the kings of *France* and *England*; the three sons of the latter being present, with a great number of the prelates and nobility of both kingdoms. It was not decent in the court of *France*, to oppose openly a motion made for reconciling a father and his children: but as she found her interest in their variance, she was naturally disposed to obstruct an accommodation, and could easily, by starting difficulties, find means to render the negotiation fruitless. *Henry* offered to give his eldest son half the revenue of the crown of *England*, with four places of strength for his abode in that kingdom: or if he chose rather to reside in *Normandie*, half the revenue of this duchy and three fortresses in it, together with the whole revenue of *Anjou* and three castles, one in the last named province, another in *Le Maine*, and the third in *Touraine*. To *Richard* he offered half the revenue of *Guicenne*, with four castles in that duchy; and to *Geoffrey*, all the territories of *Conan* late duke of *Bretagne*, if the Pope would grant a dispensation for his marriage with the heiress. *Henry* declared further, that if the archbishop of *Tarentaise* and the Pope's legates did not think this provision sufficient for his sons, he was ready to make such an addition to their revenue, as those ministers should deem reasonable; reserving still in all his cessions the admi-

¹ *Tivet.* ² *Diceto*, p. 571. ³ *Hoveden*, p. 536. *Bened. Abb.* 67.

HENRY II.
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nistration of justice, with all other branches of the regal power and dignity. It was no difficult matter to raise distrusts in the minds of young unexperienced princes, conscious of their own iniquities: and *Louis*, whose view was to dismember the *English* monarchy and reduce the formidable power of the father, not finding his account in leaving *Henry* still master of all his dominions, prevailed, as well by the suspicions which he suggested, as by the strong assurances he gave of supporting them with all the power of *France*, upon the sons to reject these proposals. Some of their own followers, either gained by the *French*, or animated by their own resentments and interested views, joined them in persuading them to this undutiful step; particularly *Robert Blanches-mains* earl of *Leicester*, who seems to have been one of the first promoters of this rebellion, and to have prosecuted it with as much fury, as he entered into it with deliberation¹. He was in *England*, when the design was formed: and having raised all the money he could upon his estate or credit, went over a little before it broke out, with *William de Tancarville*, into *Normandie*, having both at the same time of their passage, in order to obtain a license for it, taken a new oath of fidelity to *Henry*; which neither of them designed to keep, or at least took the first occasion to violate. This nobleman, abandoning himself to the fury of his passions, broke out into the most opprobrious language against the king; who had done him no injury, nor given him any provocation but a strict adherence to justice: and proceeded so far as to lay his hand on his sword, which could not fail to raise a tumult, and put an end to the conference. Both sides parted with more animosity than they met: and the next day an engagement happened between two parties of their troops, to the disadvantage of the *French*, *Engelran de Trie* being taken prisoner by *W. de Mandeville* earl of *Essex*. The young princes, depending entirely on the friendship of *France*, became more attached than ever to *Louis*: and *Richard* being now full sixteen years old, received from him the order of knighthood, as a mark of adoption on one side, and of filial duty on the other.

England invaded, and the king of Scotland taken prisoner.

XXVIII. WHAT prompted the earl of *Leicester* to the insolence here related, was probably the confidence he had in the strength of the party formed in *England* against the king, and the treatment which his town of *Leicester* had lately received. When the earl had followed the young prince to *Paris*, orders were sent to the earl of *Cornwall* and *Richard de Lucy*, to secure a place that was the head of a county filled with his vassals²: and the inhabitants shutting their gates against the king's forces, the town was on *July 3* besieged in form; and the greatest part of it being burnt by accident, they were forced, on the 28th of that month, to capitulate, and to pay three hundred marks for the liberty of removing with their effects to other places, till the troubles were over. Upon their departure the gates were pulled down and the walls demolished: but no attempt was made at that time upon the castle; the garrison being allowed a truce till *Michaelmas*. What procured them this indulgence was, an invasion made at this time by *William* king of *Scotland* into the northern borders of *England*, which he wasted with fire and sword; his *Galloway* forces committing barbarities on persons of all ages, scarce ever heard of in a *Christian* country. *Cumberland* suffered first from his rage: but being forced to raise the siege of *Carlisle*, he fell into *Northumberland*; and *Hugh Pufey* bishop of *Durham*, allowing him a safe passage through his palatinate into the north of *Yorkshire*, he made horrible depredations in those parts, and carried off a prodigious number of captives. *Richard de Lucy* marching with the army under his command from *Leicester* to oppose him, *William* thought fit to retire into *Scotland*, with his light

¹ *Diceto*, col. 571.

² *Ib.* col. 577. *Benedict. Abb.* p. 66. *Neubr.* l. ii. c. 30.

armed troops, fitter for plunder than an engagement¹; and was pursued thither by *Henry II.* *Lucy* and *Humphry de Bohun* constable of *England*, who burnt *Berwick* and over-*A. D. 1173.* ran all *Lothian*. They were interrupted in their work, by advice of the earl of *Leicester*'s² landing on *Sept. 29*, with a mighty army of *Flemings* at *Walton* near the mouth of the *Orwell* in *Suffolk*: and thought it prudent, before the news reached the enemy, to clap up a truce; which was to last till *St. Hilary*, and was afterwards, for the sum of three hundred marks raised by the *Northumbrians*, prolonged, by the bishop of *Durham*'s mediation with *William*, till the end of *Easter* holidays.

Robert earl of *Leicester* was joined at his landing by *Hugh Bigot*³: and their first attempt was upon the castle of *Walton*; which they battered with great fury for several days, but without success. Raising the siege, and passing by *Ipswich* without daring to attack the place, they advanced to the castle of *Hageneth*: which they took on *Oct. 13*. with about thirty knights, that were forced to pay considerable sums for their ransom. From thence they bent their march to *Bigot*'s castle of *Framingham*: and considering in a council of war, about their further operations, the earl proposed to advance into the heart of the kingdom; where his estate lay, and he expected to be joined by great numbers of his vassals. *Hugh* encouraged this design, to rid himself of the expence of supplying the *Flemings* with provisions: and pressed its execution; though *Lucy* and *Bohun* were now come with their forces out of the north, and being re-inforced by the earls of *Cornwall*, *Arundel*, and *Gloucester*, lay at *St. Edmundsbury* to intercept his passage. *Robert*'s forces, both horse and foot, were much more numerous than the king's; but they were generally raw men, undisciplined, just taken from their looms, perhaps in hopes of settling in *Kent*, which their prince was to acquire by their success. The chief strength of the royalists lay in the number of their knights, being four times more than those of the rebel army: and this was such an advantage, that attacking *Robert* on *Oct. 17*, as he was marching over a marshy ground near *Fernham St. Gerieve*, chusing that road to avoid *Bury*, they broke his forces in a moment⁴, and took him with his wife, a woman of masculine courage, *Hugh de Neufchatel*, a *French* nobleman, and *Walter de Wabull*, a *Bedfordshire* baron, prisoners. There fell in this battle above ten thousand *Flemings*, and all the rest in a manner were taken; scarce a man of them escaping in a country, to which they were utter strangers, and whence they had small hopes of getting off; since *Robert*, who had spent all his money in this expedition, had as soon as he landed sent back the ships that transported them, either⁵ to save further charges, or to transport more forces. It seems very probable, that they returned with fresh supplies; for after this great defeat *Hugh Bigot* had still a vast body of *Flemings* with him: and troops were assembled from all parts at *Bury*, *Colchester*, and *Ipswich*, in order to attack him and put an end to the rebellion. He had probably as many friends among the great men of *England*, as *Robert*; who had on that account flattered himself that he should not be attacked in his march to *Leicester*: but he was more politick, crafty, and considerate. He knew his men to be unfit for a pitched battle, and if he retired with them to his fortrefs of *Framingham*, their very numbers would hasten their destruction, for want of provisions: thus seeing no possibility of saving himself from ruine by open force, he resolved to try what could be done by corrupting some of the ministry. As the *English* nobility were not in those days fond of crushing any of their number, those who took his money easily prevailed with the rest, to grant him a truce till *Trinity Sunday*; to allow fourteen thousand armed *Flemings*, that he had with him, a safe passage through *Essex*, *Kent*, and *Dover*; and to find

¹ *Benedict. ib.* p. 68, 69, 70.² *Diceto*, col. 573. *Benedict.* p. 72.³ *Ib.* *M. Paris.* *Howden.*⁴ *Rob. de Monte.*⁵ *Diceto*, col. 574.

HENRY II. shipping for their transportation to their own country. Whether *Henry* had any information of this bribery, or suspected that the earl of *Leicester* might, by his relations and friends in *England*, carry on some intrigue there to the prejudice of his affairs, he sent for him over to *Normandie*: and imprisoned him, with the earl of *Chester*, in the castle of *Falaise*.

A. D. 1173.

ALL *Normandie*, south of the *Seine*, was now free from any incursions, but what were made by persons; who, having no castles for their defence, lurked in the woods, and from thence infested the country. There were however some fortresses in the borders of *Le Maine* and *Anjou* in the hands of rebels; which *Henry*, to make advantage of their consternation at his late success in *England*, resolved to reduce. With this view¹ he marched at the head of his *Brabantins*, about *Martinmas*, into *Anjou*: and about *November* 18, *Geffrey de la Haye* submitted to him, delivering up his town and castle; which example was immediately followed by the garrison of the fortress of *Pruillé*. The castle of *Champigny*, held against him by *Robert de Blé*, was taken with a great number of knights in it: and *Vendome* soon after undergoing the same fate, the king returned at the end of the month into *Normandie*. The festival of *Christmas*, which he kept at *Caen*, was always attended with a cessation of hostilities: and was now closed with a truce between the two crowns, till the end of *Easter* holidays.

A. D. 1174.

THIS short interval of war was employed in preparations for carrying it on with greater vigour²; the king of *France*, levying a great army in order to invade *Normandie*, and the count of *Flanders*, cured of his late remorse by his passionate desire of being master of *Kent*, made a mighty armament by sea and land, in order to a descent in *England*. Young *Henry* and his friends were infinitely industrious in soliciting, by agents and letters, with promises and threats, all the nobility of that country to espouse their interests: and, notwithstanding the iniquity of their cause, their instances were not ineffectual; abundance that seemed to adhere to the king wavering in their duty, and many resolving to declare in his son's favour, as soon as an opportunity offered. Of this last sort³ were *Robert* earl of *Ferrers*, who fortified his castles of *Tutbury* and *Duffeld*; and *Roger de Mowbray*, who took the same measures with respect to his fortresses of *Tbriske*, *Maleffart*, and *Kinard-ferry*. The castle of *Huntingdon* belonged to *David*, brother to the king of *Scotland*; those of *Mont Sorcl*, *Grobby*, and *Leicester*, to the earl of the place last named; and those of *Framingham* and *Bungay* were still in the hands of *Hugh Bigot*. The earl of *Chester*, *Hamo de Mascie*, and *Geffrey de Costentin* held the castles of *Chester*, *Dunham*, and *Stockport* in *Cheshire*: *Richard de Merville*, uncle of *Hugh*, concerned in *Becket's* murder, and several other barons in the north, provided themselves and their forts against the time of the general rising; a resolution in which most of the nobility, from *Suffolk* to the borders of *Scotland*, seem to have agreed. The rest of the kingdom indeed did not appear disaffected to *Henry*: but it was of much more consequence to his affairs, that all the bishops of *England* (except *Hugh of Durham*) as well as those of *Normandie*, were entirely in his interests, and exerted themselves zealously in his service; and whilst their power was more than a balance to that of the disaffected lay-nobility, their influence kept the body of the people, who had no grievance of their own, in their duty; so that the others had scarce any to follow them, besides their own vassals.

THE time of rising was agreed to be at the expiration of the truce with *Scotland*⁴; which ending on *March* 31, *William*, king of that country, with an army of *Scots* and *Galloway Britains*, reinforced by a body of horse and foot from *Flanders*, fell soon after into *Northumberland*; committing horrible cruelties on all sorts of

¹ *Benedict.* p. 71.

² *Neubrig.* l. ii. c. 30, 31.

³ *Benedict. Abb.* p. 54, 55.

⁴ *Neubrig.* l. ii.

⁵ *Benedict. Abb.* p. 73.

persons, young and old, male and female, clergy and laity, without respect of HENRY II. places, murdering them even at the altars in churches. From ¹ thence he detached A. D. 1174. his brother *David* earl of *Huntingdon* with a party, to join *Anchetil de Malory*, governor of the castle of *Leicester*, and give encouragement to their friends in those two counties to rise, and form a considerable body in the middle of the kingdom; whilst himself marched to besiege *Carlisle*. *Robert de Vaux*, baron of *Gil-lesland*, was governor of the place; and defended it too well to leave him any hopes of taking it by force; so that *William* seeing no way of reducing it but by famine, left part of his army to block it up, and advancing with the rest further into the country, took the castles of *Lidell*, *Burgh* under *Stanmore* (the *Verteræ* of *Antoninus*) and *Apulby*. Being master of these fortresses in *Cumberland* and *Westmoreland*, he returned into *Northumberland*; where he took the castles of *Warkworth* and *Harbottle*: and having thus secured all the neighbouring parts of the countries, whence supplies might be easiest sent to *Carlisle*, he came again before the place, and lay before it so long, that provisions beginning to fail, *Robert de Vaux* thought it his best way to capitulate for his surrender of the town and castle on *Michaelmas* day, if they were not relieved before that time, by the king of *England*, and to give hostages for the performance of his promise. *William* thereupon marched back into *Northumberland* with all his army: and investing the castle of *Prudbow* on the *Tyne*, belonging to *Odonell de Umfreville*, lost a great deal of time in the siege of a place, which baffled all his efforts.

WHILST the *Scotch* army was thus employed in the north, the conspirators had taken up arms in other parts of the kingdom; and *Roger de Mowbray*², lord of the *Isle of Axeholme*, had from his castle of *Kinard-ferry* made excursions over all *Lincolnshire*: but his progress was soon stopped by the king's natural son *Geffrey*, formerly archdeacon, and now bishop elect of *Lincoln*. This prelate, seeing a storm gathering, and conceiving it necessary to be well provided with money to guard against it, had, by the advice of *Richard Nigel* chancellor of *Ely*, caused a collection to be made through all his diocese: and the contributions of the people were so liberal, that a vast sum was raised for the king's service. He was a man of great magnanimity and noble sentiments, and though the money was raised by way of loan or benevolence, yet when he reflected coolly on the matter, he thought it had more the air of an exaction; being supported by his own authority, and collected at a time when every body, that did not care to contribute, would have been marked out as disaffected to the government: and considering that his father, in the dangerous situation of his affairs, had more need of the good-will of his subjects, than their money, he caused every farthing of it to be paid back to the contributors. This act of generosity did no prejudice to the king's service, whilst it raised his own character, and, by rendering him exceeding popular, caused him to be well followed; when, resolving to venture his life for his father, his king, and his country, he summoned the knights that held of his see, and with a numerous body of other soldiers, that flocked to him from all parts, took the field to oppose the rebels. His first attempt was upon the strong castle³ of *Kinard-ferry*; which he attacked so suddenly, that the garrison not having time to lay in a stock of provisions, *Robert de Mowbray*, the governor, was, on *May* 5, forced to a surrender. *Geffrey*, having demolished that nest of plunderers, and driven *Robert* out of *Axeholme* (who flying thence towards *Leicester*, was taken by the country people, near *Retford* in *Nottinghamshire*) returned in triumph to *Lincoln*. He was⁴ soon called thence by *Ralf de Glanville*, justiciary of *Yorkshire*, sent by archbishop *Roger* to desire his assistance against the *Scots*, who had entered that country: this put him on raising a fresh body of troops, with which he advanced to *York*, and by the

¹ *Naubrig*, l. ii. c. 31, 32.² *Girald. Cambr. in Vita Gelfridi.* *Angl. Sacr.* t. ii. p. 378, 379, 380.³ *Diceto*, col. 574.⁴ *Benedict.* p. 78.

HENRY II. bare report of his approach, obliged the enemy to quit the country. *Mowbray's* castle of *Mallesart* lay about twenty miles distant from that capital of the province, and the garrison made terrible depredations all over the neighbourhood: it had been lately strengthened by an outward work, secured by strong walls and deep ditches; yet *Geffrey*, by battering and undermining it, took the place in a few days, making thirty knights, with sixty archers, prisoners. *Hugh de Pusey*, bishop of *Durham*, had, by the interest of his uncles, the late usurper *Stephen* and *Henry* bishop of *Winchester*, been promoted to that see, a little before the death of the former; and perhaps retaining still some of his ancient animosity, was violently suspected of being disaffected to *Henry*, and secretly engaged in the conspiracy. It was a matter of consequence to prevent that prelate's open declaration: and *Geffrey* sending for him, forced him to come, sore against his will, to *York*, and take a new oath of allegiance. He had scarce taken this security from *Hugh*; when he was, upon a rumour that the king of *Scotland* had invested the castle of *Bowes*, about twelve miles from *Richmond*, called away into that part of the country: but the *Scotch* army retiring in haste, upon the news of his march, he erected a fort at *Topcliff*, for a further security to the country; entrusting the custody thereof to *William d'Escloutville*.

WHILE these actions passed in *Yorkshire*, *Robert* earl of *Ferrers* had surprized the town of *Nottingham*, of which *Reginald de Lucy* was governor; had taken a great booty there, and then burnt it; carrying away captive all the inhabitants he could lay his hands on: and *Anchetil Malory*, constable of *Leicester*, had, in the week after *Whitsontide*, defeated the royalists in an action near *Northampton*, and taken two hundred of the townsmen prisoners. *David* earl of *Huntingdon* was at the head of the rebels in the counties of *Leicester*, *Northampton*, and *Huntingdon*: and the truce with *Hugh Bigot* expiring on *Trinity Sunday*², *May* 19, this nobleman, re-inforced by a fresh body of *Flemings*, among which were three hundred and eighteen knights of approved valour, who had landed four days before at *Orcwell*, renewed hostilities in the country of the *East-Angles*. His attempt upon *Dunwich* was defeated by the resolution of the inhabitants: but *Norwich* being an open town, and in a defenceless condition, through the want of a garrison, was taken on *June* 18; and he got there a prodigious booty, as well by the spoils, as the ransom of the inhabitants. It was a difficult matter for *Richard de Lucy*, guardian of the realm, when he found the minds of the nobility wavering, to know whom to trust and employ against so many enemies, and which of these he should first attack: but as his master had on former occasions expressed an entire confidence in the affection and fidelity of *Rese*, prince of *South-Wales*, he required his assistance in this critical juncture. *Rese* marched immediately with a body of his *Welsh* against the earl of *Ferrers*, and invested his castle of *Tutbury* in *Staffordshire*: whilst *Richard* himself took the field a little before *Midsummer* with a great army, and laid siege to *Huntingdon*. This was a place of great consequence to the rebels, as being necessary for preserving a communication between *Hugh Bigot*, and those that had taken arms in the counties of *Leicester*, *Derby*, and *Stafford*: but the town not appearing tenable against so great a force, the garrison, upon the approach of the royal army, burnt it, and retired into the castle. *Richard* did not think it advisable to lose his time before a place too well provided to be taken easily: and contenting himself with erecting a fort before the gate of the castle, left the care of the blockade to *Simon de Senlis* earl of *Northampton*, whose interest obliged him to do his utmost for reducing it; as being the rightful heir of the county of *Huntingdon*, and having a grant thereof from the king, if he could recover it out of the hands of earl *David*. *Richard* then drew off the greatest part of his forces, to be in a readiness to oppose

¹ *Benedict*, p. 78.² *Neubr.* l. ii. c. 30. *Dietz*, col. 575, 576.³ *Benedict*, p. 91.

the young king and *Philip* count of *Flanders*; who had, in concert with the English nobility, drawn down a vast army to *Gravelines*, and came thither themselves at *Midsummer*, in order to embark for *England*. HENRY II.
A. D. 1174.

HENRY continued abroad all this time, unattacked in *Normandie*, except by an unsuccessful attempt¹ which his eldest son and *Theobald* count of *Blois* made upon *Sees*; and employed chiefly in visiting his fortresses, to see that they were in a good condition, and in making a progress through *Le Maine* and *Anjou*, to try and confirm the affections of his subjects in those provinces: with which he had reason to be entirely satisfied. He had reduced several castles in *Poitou*, and was keeping *Whitfontide*² at *Poitiers*; when he had advice that his son *Richard*'s troops had surprized *Saintes*: and marching thither with more expedition than they thought practicable, recovered the place by force, taking about sixty knights and four hundred archers prisoners. As he knew of the mighty armament preparing in *Flanders*, he left the care of *Guienne* to six of the nobility in whom he had the greatest confidence: and returning towards *Anjou*, erected, on the borders of that country and the *Pais Nantois*, a magnificent castle at *Ancenis*; which, with the government of *Le Maine* and *Anjou*, he entrusted to *Maurice de Creon*. The only business that now remained for him to dispatch before he set out for *England* (where *Philip* had, in the *Easter* assembly of the estates of *France* at *Paris*, sworn that he would make a descent within a fortnight after *Midsummer*) was to give his last orders about the defence of the frontiers, and to settle proper measures for opposing the king of *France* in his intended invasion of *Normandie*. He had for this purpose summoned all the nobility of the province and the governors of fortresses to meet him at *Bonneville* on *Midsummer day*; when *Richard*, elect of *Winchester*, arrived from *England* to press his immediate repair thither, as absolutely necessary for the defence of the kingdom. Several messengers had been sent before on the same errand, but they had not brought back any certain account of the king's return: and the lords justices being in great doubt³ of the sentiments of some of the principal nobility, particularly of the earls of *Gloucester* and *Clare*, and under terrible apprehensions, that no body would venture to oppose the young king, whose royal authority they had all acknowledged, and to whom they had sworn allegiance, when he came over in person, unless his father was present, and appeared at the head of his councils and armies, they sent this prelate as the likeliest person to prevail with him to come over. It was what *Henry* had always proposed; but knowing his enemies measures and motions, he knew likewise when his presence was necessary in *England*: and now taking with him his own and his son's queens, the earl of *Chester*, the earl and countess of *Leicester*, and some other of his prisoners, with a good body of *Brabantins*, he embarked at *Barfleur*; and setting sail on *Monday, July 8*, very early in the morning, landed the same evening at *Southampton*.

Wise princes will always submit to the necessity they are under of complying in certain exigencies with the humours⁴, and conforming to the notions, of their subjects. *Thomas Becket* had been lately canonised, and was now in all the odour of sanctity; the ridiculous stories of his pretended miracles had got possession of the people of *England*: and he was become the great object of their devotions, and their chief intercessor with heaven. The king had lain under some suspicions of being accessory

¹ *Dicto*, col. 574, 575. ² *Benedict*, p. 81, 82.

³ *Dicto*, col. 578. ⁴ That the king had

no other view in what he did on this occasion, seems pretty clear from a relation of *Giraldus Cambrensis* (*Angl. Sacr.* ii. 430.) *John* bishop of *Norwich* had a suit with *W.* earl of *Arundel* about some lands at *Lynn*, and had excommunicated him. The earl came to complain of it to the king, then attended

with his prelates and nobility; and *Henry*, in the hearing of them all, turned to the prelates, and said, "I would advise you, bishops, to be more cautious how you meddle with my barons, and not to excommunicate them so precipitately; for if one of you has succeeded in doing so, you will not all, if you come to be killed for such insolent attempts, arrive at the honour of being reputed martyrs."

HENRY II. to his death; it was the only point in which his conduct could be arraigned, 1171.
 A. D. 1171. subjects had no other pretence either for complaint or reproach: and, as well to remove any ill effects of those suspicions, as to ingratiate himself with the people, by striking in with the reigning mode of their devotion, he was no sooner landed, than, deferring all other business, he set out immediately to pay his homage to the shrine of that reputed saint at *Canterbury*. There he passed through all the usual ceremonies of penance; walking barefoot from *St. Dunstan's* church, without the walls of the city, to *Christ-Church*; undergoing the discipline; spending all *Friday* in prayer and fasting; watching all night near *Becket's* tomb; making the convent a grant of forty pounds a year for a constant supply of lighted tapers in his honour: and having received absolution on *Saturday* morning, *July* 13, set out the same day towards *London*. In a night or two after his arrival in this city, he was agreeably surprized with the news of an important victory gained by his forces in the north, on the day that he left *Canterbury*; a circumstance sufficient to warrant the monks ascribing it to their new saint's interposition.

WILLIAM king of *Scotland* had carried on the siege of *Prudbrow-castle*; till *Ralf de Glanville*, with *Robert d'Esclouteville*, *William de Vesli*, *Bernard de Baliol*, *Odonel de Umfraville*, and other *Yorkshire* barons, advanced at the head of the forces of that country, assisted by the archbishop's knights under *Ralf de Tilly*, his constable, and the troops of *Geffrey* elect of *Lincoln*, to relieve the place: and then raising the siege, retired thirty miles backward towards *Scotland*, and encamped near *Alnwick*. There probably thinking himself safe from any attack or pursuit (it not being usual for the militia of one county to go out of its bounds to defend another) he sent away *Duncan* earl of *Fife*, the earl of *Angus*, and *Richard de Moreville*, constable of *Scotland*, with almost all his army, to ravage the adjoining countries; retaining scarce any troops about his person, but those of his household. *William's* orders were fully executed in the point of plundering; his vast army¹ of eighty thousand men being chiefly composed of people more used to rapine than discipline: and to spread the devastation wider, *Duncan*, who commanded in chief, divided his forces into three bodies; which roving to a great distance, left the king too much exposed. The havock they made, and the barbarities they committed, filled all the *English* with indignation and horror: but the *Yorkshire* forces were now dispersed or employed in the siege of *Tbirske*. *Ralf de Glanville* however, upon advice of these proceeding of the *Scots*, and of the situation their king was in, thought it feasible to surprize him: and convening *Robert d'Esclouteville*, *Bernard de Baliol*, *William de Vesli*, *Geffrey of Lincoln*, and a few others, proposed the enterprize. Doubts were at first started, whether, after having done enough in forcing the *Scots* to retire, it was either safe, or would be for the king's service, to follow them in their retreat, and to march to so great a distance on so hazardous an undertaking, with a party so vastly disproportioned to the force of the enemy; their followers making only four hundred horse. But the fair prospect of succeeding in it, the prodigious advantages that might be expected from their success; and the glory they could not fail of acquiring by an attempt, daring and important enough to render it truly heroical, determined them at last, to engage in the enterprize. The execution of it depended entirely on secrecy and expedition; it was necessary to conduct it so, that the *Scots* might have no notice either of their march or design: and they took their measures very well for that purpose. Arriving on *Friday, July* 12, in the evening, after a very long and fatiguing march, at *Newcastle*, they allowed themselves a short refreshment: and setting out at the dawn of day, advanced with so much swiftness, that before five in the morning, they had marched four and twenty long miles, and came up with the enemy; notwithstanding the interruption they

¹ *North. Lib. c. 33, 35.*

received from a fog, so thick that they scarce knew which way they were going. HENRY II. A. D. 1174. This made some that affected more caution than the rest, think it advisable to return immediately: but *Baliol* declaring that rather than lie under an eternal infamy for so timorous a retreat, he was resolved if no body followed him, to make the attempt alone, they proceeded in their expedition; and when the day cleared up, found themselves in sight of *Alnewick*. The fog had covered their march so well, that the *Scots* had no notice of it, till they appeared in sight, and discovered *William* with about an hundred horse just before them in an open plain, secure, and so far from any apprehensions of an enemy, that he took them at first for some of his own cavalry, returned from plundering the country. The banner, which they displayed, soon convinced him of his error, though it did not sink his courage; he still imagined himself in the midst of his troops that filled the ambient country, and thinking he could easily disperse such an handful of *English*, charged them fiercely: but being unhorsed, was taken with almost all his company; few caring to leave their lord in such a disaster, and others that came in upon the noise of the engagement, thinking a flight more dishonourable, than by surrendering themselves prisoners, to share his fortune. *Roger de Mowbray* did not conceive himself under the same obligations of honour; he had come to the king of *Scotland* to sollicite him to march for the relief of *Thirsk*, the last of his castles untaken, yet besieged; and was present in the action: but seeing *William* taken, fled and made his escape into *Scotland*. The *English*, satisfied with so glorious an achievement of their enterprize, returned the same evening with their royal captive to *Newcastle*: from whence *Ralf de Glanville* removed him to the castle of *Richmond*, as a place of greater security, till he received the king's orders about his treatment and disposal.

THERE scarce ever was a victory of greater importance, or happier in its consequences, gained with so little bloodshed, or in a more seasonable conjuncture. *Hugh* bishop of *Durham*, a prelate vastly rich, having doubled the revenue of that see by his management, was, notwithstanding his late oath, on the point of declaring for the rebels: and the very day on which it was obtained¹, his nephew *Hugh de Bar* *sir Seine*, with forty *French* knights and five hundred *Flemings* which he had sent for, landed at *Hartle-pole*. But the advice, which the bishop received at the same time, of the king of *Scots* being taken, broke all his measures: and retaining only *Hugh de Bar* with his knights, to guard the castle of *North-Allerton*, which he had fortified with a view of engaging in the rebellion, sent liveries and forty days pay to the *Flemings*, with orders to sail back immediately. *David*² earl of *Huntingdon* was at *Leicester* when the news came of his brother's captivity: and quitting the place with his followers, made the best of his way, as well as he could, to *Scotland*. *William's* numerous army was upon the same advice reduced to nothing; for being composed of three different nations, the *English* that inhabited the *Eastern* lowlands, the natural *Scots*, and the inhabitants of *Galloway*, descended of the old *Britains*, these two last, having an old antipathy to the others, seized this occasion to throw it: and put all of them that came in their way to the sword, not only during their retreat, but even after they got back to their own country. *Gilbert* and *Uchtred*, sons of *Fergus* king of *Galloway*, were at the head of the forces of that country: and had upon his retiring into *Holyrood* convent at *Edinburgh*, after being reduced by the late king *Malcom*, divided his inheritance between them, according to the award of the king of *Scotland*, superior lord of the country. They now thought it a favourable opportunity for recovering their independency: and joined in expel-

¹ *Benedict.* p. 76. *Hecden.*
lib. c. 37.

² *Chron. Mailhof. Fordun. Scotichron.* vol. iii. p. 709. *Neubrig.*

HENRY II. ling all the king's officers, and in taking and demolishing all the fortresses that had been erected for keeping them in subjection; putting the garrisons to the sword, and killing all the *Scots*, *English*, and *Normans* they could get into their power. But having¹ got rid of their common adversaries, they quarrelled with one another: and *Gilbert*, thinking his younger brother had too great a share allotted him of their father's territories, seized *Uchtred*; and put him to death in a cruel manner. This occasioned a bloody war in *Galloway*; *Rolland*², *Uchtred's* son by *Guynolla*, daughter of *Waltkef*, son of *Gospatric* earl of *Dunbar*, a brave and active young nobleman, taking up arms, and with the assistance of his friends, disputing the possession of his father's territories. These civil broils lasted till after *William's* release, when *Galloway* was recovered and the whole kingdom was again pacified: but in the mean time the *Scots* were too much distracted by their own troubles to give any attention to the affairs of *England*; and the rebels of this last country, seeing no hopes of any assistance from that quarter, were thrown into despair, and had no way of preventing their utter ruine, but by a timely submission to the king's mercy.

HENRY, to improve³ this victory, which was celebrated with ringing of bells all over the kingdom, and to make his advantage of the consternation with which it struck his enemies, marched without loss of time to *Huntingdon*: and on *Sunday July 21*, the garrison of the castle surrendered at discretion, their lives and limbs being saved. He advanced thence with his army against *Hugh Bigot*; who had five hundred knights with him, and had just received a large re-inforcement⁴ of *Flemings*, which young *Henry*, upon his arrival at *Witland* on *July 13*, had sent over, under *Ralf de la Haie*, to his assistance: but his followers deserting daily, and not finding himself in a condition to oppose the king, who intended to besiege both his castles of *Framingham* and *Bungay* at the same time, he chose rather to submit to his mercy⁵, and waiting upon him at *Seleham* on *St. James's* day, delivered up his castles. It cost him a thousand marks to procure his pardon: but it was granted him on his giving hostages, and taking a new oath of fealty. There was more difficulty in obtaining leave for the *Flemings* to return home, after having abused the license granted them the year before for that purpose: but this too was at last granted, upon⁶ their taking an oath, that they would never attempt to come again to *England* in an hostile manner. The king having provided for their departure, marched the next day with his army to *Northampton*; where *Hugh* bishop of *Durham* came to make his submission: and delivering up his castles of *Norham*, *Durham*, and *North Allerton*, prevailed at last that his nephew *Hugh de Bar* might return with his knights to *France*, without any trouble or impediment. Thither likewise came the same day⁷, *July 31*, *Roger de Mowbray*, to throw himself at the king's feet, with the offer of his castle of *Thirsk*; and the earl of *Ferrers*, to make the like submission, giving up his castles of *Tutbury* and *Duffeld*. *Anchetil de Malory* and *William de Dive*, the earl of *Leicester's* constables or commanders of his vassals, repaired thither likewise to stipulate for their lord's liberty by the surrender of his fortresses: but the king refusing to enter into any treaty with them, and telling them that their absolute submission was the only way to procure him a mild treatment, they surrendered his castles of *Greby*, *Montförel*, and *Leicester*. The lesser rebels every where, following the example of the greater, gave up their castles: and thus in less than a month after the king's landing, all *England*, just before on the point of being lost, was entirely recovered, and established in a state of quiet and obedience.

¹ *Hoveden. Benedict. p. 92. Fordun. p. 713. Neubrig. l. ii. c. 34.*

² *Benedict. Abb. p. 83, 84, & seq.*

³ *Hoveden. Neubrig. l. ii. c. 37.*

⁴ *Dicto, vol. 575, 578.*

⁵ *Monst. Angl. l. i. p. 400.*

⁶ *M. Paris.*

XXIX. DURING these transactions, young *Henry* and the count of *Flanders*, HENRY II. A. D. 1174. with a numerous army, lay waiting at *Gravelines*; where a large fleet was assembled for transporting them into *England*. The westerly winds¹, which chanced to blow at that time, less favourably for a passage from thence than to one from *Barfleur*, and which seemed to veer a point expressly to waft the king of *England* over with the greatest expedition, detained them for some time²: and when the fleet put to sea on the unlucky day, which bereaved the *Scottish* king of his liberty, and them of his assistance, it was dispersed by ill weather. This delay allowed them to receive, not only advice of the king's landing, which made them first doubt of their reception in *England*, but likewise of the disaster of their ally: and this being followed by a rapidity of success on the king's part, and the universal submission of their friends, they saw all their measures broke; and laying aside all further thoughts of their enterprize on that kingdom, resolved to march to the king of *France's* assistance. This prince, having obliged his nobility upon oath to join him with all their followers, had invaded *Normandie* with all the power of *France*: and not thinking it necessary in *Henry's* absence to take the usual precaution of reducing the lesser fortresses that stood in his way, had sat down before *Roüen*, the capital of the province. He met with more difficulties in the siege than he at first apprehended; several of the *Norman* nobility having, in zeal for their lord's service, thrown themselves into the place, and the inhabitants appearing very resolute in its defence. The city too was very large, guarded on the south by the river *Seine*, and on the three other sides surrounded by high mountains; taking up such a compass of ground, that all his army, numerous as it was, could not beleaguer it, nor prevent the entry of provisions and other supplies. To remedy this inconvenience³, he sent for young *Henry* and the count of *Flanders* to come to join him with their forces: but though these two bodies united made a greater army than had been seen for many years in *Europe*, it was not sufficient to encompass half the city, by reason of the difficulty of its approaches; and the passage of the bridge being entirely open, all kinds of necessaries were daily brought into it in sight of the enemy. The walls however were battered continually; and to leave the inhabitants no rest, the *French* army, being divided into three parts, relieved each other every eight hours: but this only served for an example to the defendants; who making a like partition among themselves, provided very well by that regulation against being exhausted by continual fatigues. Scarce any hour of the day or night passed without some alarm or assault: but the ardour and bravery of the *Normans* baffling all attempts made upon them in the way of force, the besiegers found it necessary to have recourse to an artifice.

LOUIS passed for a devotee, and was very precise in the practice of certain exterior rites of devotion or superstition, commonly termed abroad *la petite religion*; upon which weak minds are apt to lay a mighty stress, to the prejudice or neglect of the more substantial duties of religion. But there may be observed on many occasions in his, and generally indeed in the conduct of that set of men, many actions unworthy of a man of honour, and inconsistent with the magnanimity planted by providence in mankind, as a guard against acts of meanness; which if they once get over, they are capable of any baseness, and, having broke through the strongest restraint in human nature, sink afterwards in the abyss of corruption. It was agreeable to his general character, and the particular veneration he used to express for *St. Laurence*, to make proclamation on the eve of that martyr's anniversary, that there should be a cessation of hostilities for the next day, being that of his festival. The citizens of *Roüen* observed it as such: and, glad of a little rest, employed

¹ *Diceto*, col. 576.² *Ib.* 577. *M. Paris.*³ *Neubr.* l. ii. c. 36.

HENRY II.
A. D. 1174.

it generally in mirth, jollity, dancing, and other recreations: great numbers of them likewise crossed the bridge to the south-side of the river, to see the turnaments and other military exercises, with which their cavaliers diverted themselves there in great security, though in sight of the enemy. This answered exactly to the hopes of the *French* generals; who proposed to carry the town by *scalado*, before the inhabitants could take the alarm, and be prepared for defence: and when they found the bait had taken, gave orders, not by the sound of trumpet, or in any other publick manner, but by officers particularly deputed to go round all the quarters of the camp, for all their forces to be ready to scale the walls on a signal given. The attempt would in all probability have succeeded; had it not been for a mere accident, or rather a particular interposition of providence, and by the means of some clergymen; who, not mixing in the entertainment of the day, mounted, by a secret impulse or undefigning curiosity, to the top of the high tower, where the alarm bell hung, and from whence a considerable part of the *French* camp was visible. The first thing that struck them, was the unusual silence that reigned in it; they soon after perceived other grounds of suspicion: and at last plainly discovering ladders carrying, and other preparations making for an assault, they rang the bell to give notice to the citizens; who snatching up their arms, ran immediately in the greatest hurry to their several stations. Those too, who were exercising beyond the river, repaired to their posts with wonderful diligence, but scarce in time: the enemy, whose attack was hastened by the ringing of the bell, having already clapped their ladders to the walls, and some of them being mounted to the top, before the defendants got thither, and with great resolution cleared the bulwarks of such as had entered, throwing them down headlong, and repelling the assailants with great slaughter in every quarter. This dishonourable stratagem is, by writers willing to make an apology for the conduct of *Louis*, ascribed to the occasional suggestions of the count of *Flanders*, and the instances of his own officers: but whoever was the first proposer thereof, it cannot well appear in any other light than that of a premeditated design, to any body who considers, that it was made on *Saturday*¹, *August* 10; and that on the *Thursday* morning before, the king of *England* had landed at *Barfleur* with his *Brabantins*, and a thousand *Welsh*; which putting the *French* in despair of succeeding by open force, made them try this experiment for taking the place by surprize.

HENRY brought over with him the king of *Scotland*, the earls of *Chester* and *Leicester*, with other considerable captives: and having put them into safe custody at *Caen* and *Falaise*, advanced with his forces to *Roken*; which he entered over the bridge in great pomp on *Sunday*, the day after the action above related. On the morrow of his arrival, he caused the gates, which had been walled up by the townsmen, to be opened, the ditches and intrenchments between the city and the *French* army to be filled up, and a way to be made broad enough for two hundred men to march abreast, that his troops might sally out with more facility to attack the enemy; with whom they had some encounters. He had, early the same morning, sent out his *Welsh* forces, used to woods and fastnesses, into the forest on the north of the town, through which provisions used to be brought to the camp: and they had the good fortune the same day to intercept a convoy of victuals going thither². This filled the *French* with surprize and terror: they now felt, more than ever, the inconvenience of leaving *Gisors* and other fortresses behind them; which rendered it impracticable for them to be supplied with necessaries, unless by the way of *Nenfchatel*; or to take any other way in making their retreat, than that by which they had entered the country. Hence arose that scarcity of provisions, which had

¹ *Benedit. Abb.* p. 85, 86.

² *Diceto*, col. 519.

occasioned a desertion in the army from the time of its sitting down before ¹ *Roüen*, HENRY II. on *July* 22, and which now, being much greater, left them no party to take, but to raise the siege; for which they prepared by striking their tents, and burning their military engines. They were too far advanced in an enemy's country to make a retreat through woods and narrow passes, which embarrassed the road they were to take, and in the sight of an army of veteran soldiers animated by success, without running the danger of losing the best part of their forces: but when a little prevarication and breach of faith will answer the purpose, it is easy for some people to extricate themselves out of difficulties. *Henry* was ever averse to war, and to the cruelties usually exercised in it; and he detested that, wherein he was now engaged, more than any other; so that he readily hearkened to the overture of peace, made by the archbishop of *Sens* and the count of *Blois*, sent to him by *Louis* on that pretence. These ambassadors coming to him on *Wednesday* morning, *August* 14, proposed a conference, for settling the conditions of it, to be held the next day at *Malainy*, a place between *Roüen* and *Tostes*, and a truce to be made for that time; which *Henry* agreeing to, they swore to the performance of the conditions on the part of the king of *France*. Under the faith of this agreement, *Louis* retired with his army, unattacked and unmolested, through the forest ² to the place appointed: but, instead of conferring there the next day with the king of *England*, decamped privately at midnight, and made the best of his way towards *France*. When this came to be known, the *Brabantins* pursuing him, cut off a few of his rear, and took a good quantity of arms and baggage: but the *French* army was too far advanced for *Henry* to overtake it with the body of his forces.

THE two ambassadors returned in a day ³ or two to *Roüen*, to excuse this proceeding of *Louis*, who was quite tired of the vast expence of the war, and to propose another conference on *September* 8, at *Gisors*: where a truce was agreed on till *Michaelmas*; when the terms of peace were to be settled in a meeting of all parties at a place between *Tours* and *Amboise*. The reason why these were not adjusted at *Gisors*, was the absence of prince *Richard*; who refused to come thither, being busy in attacking his father's castles in *Guienne*: and it being provided in the articles of the truce, that *Henry* might attack his son, and that neither *Louis* nor young *Henry* should give him any assistance, the king marched with his army into that province. *Richard*, unable to make head against him, fled from place to place, all the fortresses he had taken submitting readily: and finding upon his application for succours, that he was excluded from the truce, he resolved, in his indignation at that treatment, to sue to his father for pardon, and coming in a suppliant manner to *Poitiers*, on *Monday*, *September* 23, was received by him with all the kindness imaginable. They went together on the *Monday* following to the conference near *Tours*; where a peace was made on such conditions as the king of *England* thought fit to prescribe ⁴.

SUCH

¹ *Diceto*, col. 578. ² Called *Verte Forest*.

³ *Al. Paris. Hoveden. Benedict.* p. 87, 88.

⁴ These conditions were: "The king ^a of *England* had all the castles restored to him, which had been taken by the king of *France* and count of *Flanders* in the beginning of the war in *Normandie* ^b; and his sons were to return to his obedience, freed from all oaths and engagements they had entered into with others; as his barons and vassals, that had joined with them, were likewise, in the same free condition, and in consequence thereof to be re-instated in their lands and castles. All prisoners on both

sides were to be released, except the king of *Scotland*, the earls of *Chester* and *Lincoln*, and *Ralf de Feugres*, with whom *Henry* either had made, or reserved to himself the liberty of making, particular conditions: and with regard to the rest, he might, on their release, require hostages from such as he saw fit, and were able to give them, and exact from all others the security of an oath of fealty. All castles were (as the king saw fit) to be reduced to the condition they were in before the war, and all additional works and new erected fortresses to be demolished. Young *Henry*, retaining no ran-

^a *cour*

^a *Rymer*, i. 37. *Benedict.* p. 89. *Hoveden. Neubrig.* l. ii. c. 38. ^b The king of *France* and count of *Flanders* had with their forces taken these castles, but are not mentioned in the treaty, because they pretended only to act as auxiliaries to young *Henry*, and to take them for his benefit and service.

HENRY II. SUCH was the conclusion of a war, begun with all the circumstances that can be imagined unfavourable to *Henry*, and threatening no less than his utter ruin by a revolt of his own sons; one of them associated with him in the throne, and recognized by the oaths or homage of all his subjects; accompanied with the open defection of a great part of his nobility, the secret favour of others, the infidelity of those who were in his councils, household, and service, and had either received the greatest favours from him, or were the most in his confidence, and a wavering disposition remarkable in such as seemed to adhere to him; supported by a formidable league of all the neighbouring potentates, who envied or dreaded his greatness: yet ending, with a rare event in civil wars, greatly to his advantage, and infinitely to his glory. But it is such difficulties, that distinguish heroes, and allow princes truly great to display their admirable talents: and certainly none ever shewed on any occasion, more temper, firmness, and intrepidity, more presence of mind, activity, vigour, wisdom, and judgment, than the king did in all his conduct on this trying one; when his crown was in such imminent danger, that it could not have been saved by qualities less extraordinary and heroical. What crowned all, and served to compleat his character, for there is a chain of virtues, and great minds, ever consistent, are above revenge and detest cruelty¹, was the clemency with which he used his victories; putting no one person to death, releasing without fine or ransom above nine hundred knights, whom he had taken prisoners in this truly unnatural rebellion, and restoring them to their estates. It is evident from the terms, as well as circumstances, of this treaty, that the king prescribed all the conditions of it: and those, which he graciously allowed his sons, were less for their advantage, than what he offered at the beginning of the rupture, and they might have had before the war commenced.

HENRY, forgetting their undutiful behaviour², treated them with the same goodness as ever: and shewed his confidence in them, by committing to *Henry* in *Normandie*, to *Richard* in *Poitou*, and to *Geffrey* in *Bretagne*, the execution of the article relating to the demolition of fortifications made during the late troubles. The count of *Flanders* gave up the charter of conventions between him and young *Henry*, whom he released of his oath for performing them³; and received from the king a new grant of the pension of five hundred marks a year, which he had about eleven years before given to him and his father *Thierry*: and to atone, as well for his own iniquity in supporting a rebellion against a prince, to whom he had many obligations, and had done homage, as for the blood of his subjects shed in the

“ court against any that had stood by his father, and
 “ engaging that he would never do them any harm
 “ as long as he lived, was upon that account to
 “ have two fortified places in *Normandie*, such as
 “ his father should appoint, with fifteen thousand
 “ pounds a year *Angevin* money: and bound him-
 “ self to observe all his father’s grants of lands,
 “ either for charitable uses, or to his vassals and
 “ servants; particularly the settlement made on his
 “ brother *John*, being the castles of *Nottingham*
 “ and *Marleborough* with the earldom of the former,
 “ and such escheats as the king should afterwards
 “ grant him; two other castles, as his father should
 “ see fit, in *Normandie*, and one in each of the
 “ provinces of *Le Maine*, *Anjou*, and *Touaine*,
 “ with three thousand pounds a year rent, one third
 “ thereof in *England*, and the other two in *Nor-*
 “ *mandie* and *Anjou*, by equal portions, and in *An-*
 “ *gevin* money. The king gave to his son *Richard*
 “ two seats, such as would enable him to do the
 “ least mischief, in *Poitou*, with half the revenue
 “ of the province: and to *Geffrey*, a moiety of the

“ rents of *Bretagne* at present, with a promise of
 “ the whole, when ever he married the dutchess,
 “ according to the articles with her father *Conan*.
 “ The king, out of affection to his son remitted to
 “ his adherents all the moveables they had carried
 “ off with them, and all forfeitures incurred since
 “ the rupture, in consequence of their adherence to
 “ him; but for crimes affecting life or limb, and
 “ for offences before the war, they were to answer
 “ according to law; and all pleas or suits were to
 “ remain in the same condition as they were before.
 “ All the sons gave their father assurance, that they
 “ would not exact more of him against his will,
 “ than he had now given them, and that they
 “ would never withdraw their service from him,
 “ the two younger doing homage for what he had
 “ granted, and the eldest offering to do the same,
 “ but the father declined receiving it from him,
 “ on account of his royal title, and accepted of
 “ his security.”

¹ *Diceto*, col. 583. ² *Ib.* col. 545. *Boad.*
 p. 95. ³ *Ib.* p. 97. *Rymer*, i. 25.

war, crossed himself soon after for an expedition to *Jerusalem*.

HENRY II.

A. D. 1174.

BUT the chief advantage which *Henry* gained by the war, lay in the captivity of *William* king of *Scotland*, and the treaty which he made with him on *December* 3, at *Falkirk*, with the consent of a great number of prelates, earls, and barons of that kingdom, assembled for settling the terms of that prince's release. When the princes of *Galloway* had, upon *William's* captivity, shaken off the *Scotch* yoke, and asserted their original independency, he had thought it just to support them in that work: and by all the rules of sound policy, it behoved a king of *England* to support a power, that would always stand in need of his protection, and be a terrible thorn in the side of his enemies, instead of being made use of by them for cruel depredations on the borders of his dominions; for which purpose the *Galloway* people had, ever since their subjection to the *Scots*, been constantly employed. With this view, he had, about the middle of *November* ¹, sent *Roger de Hoveden*, the historian, one of his chaplains, and *Robert de Vaux*, to treat with them, and retain them in his service; a proposal which *Gilbert*, and the other chieftains of the country, very readily accepted. They offered an annual tribute of two thousand marks of silver, five hundred cows, and as many hogs, for his protection and assistance in rescuing them from the dominion of the *Scots*: but when *Henry* heard how barbarously *Gilbert* had murdered his brother *Uchtred*, he resolved to have no dealings with a people capable of such inhumanities, and immediately came to an agreement with the king of *Scotland*. "This prince swore fealty, and did homage to *Henry* as his liege lord ², acknowledging himself his vassal against all men, for *Scotland* and all his other territories: he did the like homage to young *Henry*, saving allegiance to the king his father; and obliged his heirs to do the same to their heirs. The like fealty and homage were to be done by *David*, *William's* brother, and by all the nobility and gentry of *Scotland* for themselves and their heirs; but the prelates with the clergy and their successors were only to swear fealty: and all the said parties agreed, that the church of *Scotland* should pay to the church of *England* the subjection which was due to her, and had been usually paid in the time of former kings of *England*. Refugees for felony out of *England*, were not to be harboured in *Scotland*, but to be delivered up to the king's officers of justice, unless they would return voluntarily, and stand to judgment in his court: and the like stipulation was made in relation to *Scotch* refugees, if they would not stand to the judgment of either of the king's courts. The vassals of each king were to enjoy the lands which they held under the other; and the castles of *Berwick*, *Roxburgh*, *Jedburgh*, *Edinburgh*, and *Sterling* were to be delivered into *Henry's* hands, as a security for the performance of these conditions: but the charge of the garrisons, as rated by him, was to be borne by *William*. The king of *Scotland* likewise delivered his brother *David*, four earls, and sixteen of his nobility for hostages, till the castles were given up: and then the king himself, with his brother, were to be set at liberty. The earls and barons might every one, upon the delivery of his son, or next heir respectively, be admitted to the same indulgence: and the king reserved to himself a power of demanding the like hostages from such of the nobility as were absent. The bishops, earls, and barons engaged also to stand by *Henry*, as well against the king of *Scotland*, if he broke this convention, and his oath of fealty, as against all other his enemies: and the first of these were to put his dominions under an interdict, till he returned to his allegiance."

It is with an ill grace that the *Scots* complain of this treaty, and insist upon its nullity, because it was made while their king was a captive, and in duress; as if princes in that condition were incapable of making a contract, even with the consent

¹ *Benedict.* p. 93. ² *Rymer*, i. 39.

HENRY II. of the estates of their realm; a notion which clashes with the common sense of mankind, and would, if generally received, render the captivity of kings as perpetual, as war would be, if no treaties could be made between enemies. The reason why certain acts of persons in duress are set aside, is a supposed violence or terror used in extorting them, founded either upon the circumstances of the action, as in the resignation of *Mary* queen of *Scotland*, or upon the unreasonableness of the act, and the excessive hardships it would bring upon others, whose consent was requisite, as well as upon the contractor, as in the case of *Francis I.* when, without the assent of the estates of *France*, he was forced to sign a cession of *Burgundy*, and other parts of the demesne of that kingdom. But nothing of that kind appears in this treaty, made by the king of *Scotland*, with the concurrence of a deputation of the estates and principal nobility of his realm, as well spiritual as temporal, infinitely to the advantage of both, and for putting them in a condition to prevent a dissolution of the monarchy, the dismembring of some of the best provinces of the realm, and the laying of an eternal foundation for war within its bowels, by the erection of several petty independent principalities; evils flowing upon them, not by the force of the enemy, who had the captive king in his power, but by the intestine divisions of the latter's own subjects. The very terms of the treaty do great honour to the moderation of *Henry* in the midst of his victories: he was rid of his other enemies, and by giving a little assistance to the *Galloweians*, he could, with little trouble and expence, have ruined *Scotland*. The war was undeniably just on his side, and he had consequently a right to all the acquisitions he could make in it: yet he insisted on no exorbitant sum of money for *William's* ransom, to the oppression and impoverishment of the nation; he demanded no dismembring of any province of the realm; terms generally exacted in the like cases, and to which he had pretensions that certainly were not unreasonable.

IF I may presume to interpret the words of this treaty, I conceive that by *Scotland*, is meant the country inhabited by the natural *Scots*; and that, in the *other dominions of William*, are included all the eastern lowlands; from the river *Tweed*, to the *Firth of Forth*, inhabited by the *English* of the old *Saxon* race, and by others which mixed with *Normans* had retired thither since the conquest: and likewise the kingdom of *Galloway*, or of the *Cumbrian Britains*, containing not only the particular county now called by that name, but all the other counties lying south or west of the *Clack* and extending from *Glasgow* to the borders of *England*. It hath appeared already in the course of this history, that the *Cumbrian Britains* were subdued by the *Northumbrian* kings, and their princes held their territories as vassals of the latter, long before the *Scots* had any thing to do with that country: which was not quite subdued by them, till a few years before this treaty¹; when *Fergus*, who bore the title of king of *Galloway*, was conquered by *Malcolm*, *William's* brother and predecessor. It hath been shewn likewise, that all the eastern lowlands, as far north as the *Forth*, were part of the *Northumbrian* kingdom, from the time of its first foundation, till the reign² of *Edgar*, who granted it to the kings of *Scotland* to be held in vassalage of the crown of *England*, and that the *Picts*, whose territories lay north of the *Forth*, paid tribute to the *Northumbrian* kings, till the time of *Egfrid*. Those territories fell afterwards by conquest into the hands of the *Scots*, and the whole country assumed the name of *Scotland*: but whether our *Norman* princes after the conquest revived the claim of tribute from, or required homage for, them, is uncertain, by reason of the silence of our historians, or of their loose indeterminate manner of expression. They all agree in saying, that the kings of *Scotland* became the men or vassals of the kings of *England*, and did homage to them: but do not specify on what account, and for what country, they did their homage. *Scotland* might possi-

¹ *Monastic. Anglic.* ii. 551.² See before, p. 261, 329, 330.

bly be included in those general expressions; for though we do not find it particularly mentioned in any treaty more ancient than this, the reason perhaps may be, because there is no instrument preserved on record of any former treaty, and we have no accounts thereof, but what are given by old writers in a very loose manner. However this be, there is no doubt but *William* was the vassal of *Henry* for the lowlands of *Scotland*, as far as the *Forth*; that he had done him homage; and that by engaging in the unnatural rebellion of *Henry's* sons, and invading the country of his lord, he had justly forfeited his claim to the territories he held of him in vassalage. *Henry* therefore might have justly demanded those territories, and even that of *Galloway*, the *Scots* having no pretensions thereto, but by a recent conquest: and he had not only a prior claim in the right of the *Northumbrian* princes on that account, but a much better title through the offer and voluntary submission of the princes, lords, and chieftains of that country. The king of *England*, ever a friend to peace, seems to have had no view in this treaty, but to establish one between the two kingdoms on the firmest foundation, according to the maxims and notions of those times; when the obligations contracted by homage, and an oath of fealty to a superior lord, were deemed the most sacred of any. He might have resumed into his own possession the countries inhabited by the *English* and *Britains*; he might have demanded tribute of others, as he was undoubtedly master of the terms of this treaty: but he was content with the oaths of fealty and homage, and the acknowledgment of his superiority, not by *William* alone, who, having already violated all obligations of that kind, could not gain any credit by renewing them, but also by all the prelates and nobility of *Scotland*, who, after their king was set at liberty, ratified it in all appearance with the greatest alacrity imaginable. It was with the same view, and for the better preserving of an harmony between the two nations, that a stipulation was made for the ecclesiastical power in *Scotland* being subordinate to that of *England*. This was in effect no more than restoring to the ¹ see of *York* that primacy which she had exercised for many ages in that kingdom, and which she had only lost by the usurped power assumed over her by *Lanfranc*, and his aspiring successors, who laboured to bring her into subjection to their see of *Canterbury*, after the conquest of *England*.

HENRY II.
A. D. 1174.

XXX. AFTER the conclusion of these treaties, *Henry* prepared for his return into *England*, by settling his affairs abroad: and for this purpose had, on the feast of *S. Matthias*², an interview with the king of *France* at *Gisors*. The fortresses, erected during the late war, were now demolished: and he took care to visit *Normandy* and *Poitou*, to see that all places of strength in those provinces were well provided with garrisons, and their fortifications in good condition. But the chief thing he had to do was, to reconcile the mind of his eldest son; who had still the weakness to lend an open ear to the suggestions of *France*, and was persuaded by his father-in-law, that if *Henry* once got him in *England*, he would confine him in prison. It was not proper for the king, when he went over thither, to leave the prince behind, with an head full of suspicions, and exposed to the solicitations of those whom his *French* alliance made him consider as more his friends, than a father whom he had highly offended: but when he sent for him, the prince at first absolutely refused to come; the principal occasion of his mistrust being, that the homage he offered had been rejected. The king probably declined receiving it, as thinking it an act of humiliation, to which an high-spirited prince would not care to submit: but as it was frequently paid in those days by crowned heads to one another (though not ordinarily for their realms, yet for other territories held of them, or for annuities granted by them) young *Henry*, either imagining his revenue not sufficiently secured

A. D. 1175.
Henry's return
to England,
and trans-
actions there

¹ *Rob. de Monte.* ² *Benedict. Abb.* p. 94, 95.

HENRY II. for want of this ceremony, or that, it being a bond of mutual affection and duty
A. D. 1175. between the parties concerned in it, his father's not admitting him to it, proceeded from his being not yet fully reconciled, was very uneasy, that his homage had not been received, as well as that of his brothers. It is not unlikely that this jealousy might arise in some measure from the prince's consciousness of his own ill conduct after the reconciliation, in not dismissing about an hundred of the king's knights taken by his partizans in the war, as freely as the king had done the nine hundred and sixty-nine that were his prisoners, but forcing them to pay ransoms for their liberty; a step, of which his father probably had expressed some dislike, and which may reasonably be supposed to be one of those offences committed after the peace, for which himself begged pardon¹. This occasioned several messages from the father, with strong assurances of his affection to the son: and the prince was at length so well satisfied, that coming², on *April 1*, to the king at *Bures*, he fell on his knees before him; asking pardon for all his offences before, in, and after the war, in the presence of several of the prelates and nobility of *Normandie*; and at his earnest request, was admitted to do homage, and take an oath of allegiance. *Henry* was so well persuaded of his son's repentance, that he allowed him to make a short visit to the court of *France*: and upon his return to pass the *Easter* with him at *Cherbourg*, they set out together for *Barfleur*; from whence they passed into *England*, landing on *Friday, May 9*, at *Portsmouth*.

WHEN the two kings came to *London*, they found there *Richard* archbishop of *Canterbury*; who had called a synod of the prelates and clergy of his province to meet on *Sunday, 3 May 18*, at *Westminster*: it was held by their consent, and they were present at it with a great number of the nobility. Several canons, taken from the *Decretal epistles of Popes*, and the decrees of foreign councils, were received in it, and established, “as well to enforce the due payment of tythes of all things
 “growing and renewing annually; and to allow costs in causes between ecclesi-
 “asticks; as to put a stop to several practices, which it was thought proper to
 “condemn. These were, the marriage of the clergy; their frequenting taverns;
 “going armed, or taking arms; wearing long hair, and a dress in any respect unca-
 “nonical; being ordained by any but their proper diocesan; concerned in traffick
 “or farming; judging in cases of blood and corporal punishment; and serving in
 “the offices of high-sheriff, bailiff, or steward. The sons of clergymen were
 “incapacitated to succeed their fathers immediately in livings; no pleas affecting
 “life or limb were to be held in churches or church-yards; no money was to be
 “paid, either for the administration of any of the sacraments, the dedication of
 “churches, the presentation to benefices, or for the reception of any religious into
 “convents. Vicars were forbidden to encroach on the rights of rectors, in con-
 “tempt of their oath and fealty; and the like prohibitions were made against con-
 “secrating the eucharist in patens or chalices of tin, or of any material, but gold and
 “silver; and the dipping of the consecrated bread in the wine, as contrary to the
 “institution; against private marriages, not solemnized by a priest in the face of
 “the church; and the marrying of infants not arrived to an age of giving their
 “consent, without which there could be no marriage; except in certain cases,
 “where reasons of state, or the publick tranquillity might render it proper to allow
 “a dispensation. These canons were confirmed by the royal authority, and the
 “assent of the barons of the kingdom.”

It was on *Tuesday* following, and in all appearance before this synodical assembly, as well as before all the lay nobility, that³ the king's letter, notifying his reconciliation to his eldest son, and the latter's homage and submission, were read in the

¹ *Dietz*, col. 583, 586.

² *Ib.* col. 585, 586

³ *Hoveden. Benedict.* p. 98. & seq. *Chron.*

Genea. col. 1395.

⁴ *Dietz*, col. 581.

presence of young *Henry*; who accordingly took the oaths therein mentioned: and ^{HENRY II.} giving the king of *France*, the counts of *Troyes* and *Blois*, his two brothers, and all ^{A. D. 1175.} the prelates and nobles of *England*, *Normandie*, and *Guienne* for his sureties, renounced all assistance from them, if he ever deviated from obedience to his father in his future conduct. Some other things, less agreeable to the king, passed in this convocation; the ancient dispute, about the archbishops of *York* carrying their cross erect in the province of *Canterbury*, being revived on this occasion. *Richard*¹, who now filled the last of those sees; had, with the expence of ten thousand marks of silver at the court of *Rome*, not only got his election to it confirmed, but obtained also a grant from the Pope of the primacy of all *England* and the legation of his own province: and was fond of exercising all his powers. Thus² he invaded the rights of the bishop of *Cichester*, by consecrating *Odo*, when he was chosen abbot of *Battle* in that diocese; pretending that he did no injury thereby to that see, because he acted in it by virtue of his legatine authority. He might have acted in virtue of his archiepiscopal authority, when, in the two last months of the past year, he made a general visitation of all the dioceses, chapters, and abbeys in the province, travelling with a prodigious train of men and horses, and putting all the collegiate and conventual bodies that he visited, to an excessive expence in providing for their entertainment: but he chose rather to make use of his legatine powers in it, in order to exercise a jurisdiction over persons and bodies, that were exempt from the ordinary authority of an archbishop of *Canterbury*, and to create a precedent for his successors in that see to continue the like usurped jurisdiction, in times when it would not be easy to distinguish, what acts were to be ascribed to the one, and what to the other, of the capacities united in his person. The introducing of this confusion was one of the political reasons of the court of *Rome*, for granting legatine powers to metropolitans; not only enabling them to do what they could do before by their ordinary authority, but affording them likewise a pretence to enlarge their power illegally, and to usurp on the rights of bishops and ecclesiastical bodies; which, as these would not tamely submit to such usurpations, occasioned, by a necessary consequence, frequent appeals to the *Roman* consistory; as it did particularly on this occasion. There had been an old emulation between the sees of *Canterbury* and *York*; there was one at present between the two prelates that filled them; *Roger* of *York*, being much considered in the court of *Rome* and vested with the character of legate over *Scotland*, as *Richard* of *Canterbury* was, over his own province in *England*. This last, displeased that his legation did not extend to the province of *York*, and that he had no power over *Roger's* person, was resolved to mortify him, by invading his right to churches that lay within his own province: and coming to *Gloucester*, summoned the clergy of *St. Oswald's* chappel, to attend him at his visitation. This chappel had been founded in the *Saxon* times by an archbishop of *York*³: and having been ever since a peculiar of that see, subject to no other ecclesiastical jurisdiction, the clergy refused to come to the visitation, and were excommunicated by *Richard* for that contempt. This was not the only arbitrary act he did in his visitation; it being observed, that he suspended *Guy* dean of *Waltham* from his dignity and sacerdotal order in his absence, and without hearing his defence; and that he put an abbess, taken from another convent, over the nunnery of *Winchester*, against the will of the nuns; who claimed the right of a free election, and that the abbess ought to be of their own body, which afforded several fit for that dignity.

THESE were less able to assert their rights, and procure redress of their grievances, than *Roger* archbishop of *York*; who not only appealed to the *Pope*⁴ against the cen-

¹ *Chron. Job. Abb. Petriburg. A. D. 1174.*
dist. p. 94. *Ib. p. 106, 127.*

² *Dicto*, col. 588.

³ *Ib.* col. 583. *Ben-*

HENRY II. ^{A. D. 1175.} fures laid on his clergy, and on account of a claim¹ he advanced to the sees of *Lincoln*, *Chester*, *Worcester*, and *Hereford*, as members of his province; but notified also these appeals by his agents to the convocation now fitting, and claimed the right likewise of having his cross borne before him in the province of *Canterbury*. It was either to put an end to this controversy², or to be absolved from his vow or engagement to make an expedition against the infidels, that the king sent for a legate³ from *Rome*: and cardinal *Hugozun* came over at the latter end of *October* following, before whom the matter was at last thus adjusted. The archbishop of *Canterbury* quitted claim to the archbishop of *York* of all manner of jurisdiction over the chappel of *St. Oswald*; which was declared entitled to the same privileges as the king's free chappels: and absolved the clergy thereof from their excommunication. But the affairs of the cross and the dioceses were referred to the judgment of the archbishop of *Rouen* and other foreign bishops; who were allowed five years time to make their award, and till then neither of the parties were to stir in the matter.

AFTER this convocation, in which there passed nothing remarkable, besides *Godfrey* bishop of *St. Asaph's* resigning his see, either because of its poverty and being infested by the *Welsh*, or in hopes of getting the abbey of *Abingdon*, which had been given him *in commendam* during pleasure, the king went to pass the *Whitsontide* at *Reading*. The⁴ see of *Norwich* and twelve abbeyes were now vacant: and he dispatched *Roger de Hoveden* and *Robert de Hingliskam*, two of his chaplains, to those churches, with writs, requiring the chapter and convents to depute respectively their prior and five, or more, of the discreetest of their number, fully empowered by their letters of procuration, to choose in their name proper persons to fill up the vacancies; and for that purpose to be on *Midsummer* day at *Oxford*. The king in the mean time went to visit the marches of *Wales*: and when he came to *Gloucester* held a great council of his nobility; in which the earl of *Gloucester* was called to account for having, in the beginning of the late troubles, driven the king's wardens out of *Bristol*, and kept it in his own hand ever since, till he now delivered it into the king's possession. *Reese ap Griffith* prince⁵ of *South-Wales*, came to this council; bringing with him several *Welsh* lords, that had been guilty of misdemeanors, to do homage to the king; who received them into favour, and engaged them on *June 29* to join with the *English* barons of the marches, in a common oath to assist one another, in case they were attacked by the *Welsh* that did not own his royal authority. These affairs hindered *Henry* from going towards *Oxford* so soon as he proposed: but arriving on *July 1*, at *Woodstoke*, he there held his court; and the delegates of the chapter of *Norwich*, chose *John de Oxford*, frequently before-mentioned, for their bishop. The vacant abbeyes were likewise filled up agreeably to the king's mind; and his son *Geffrey's* election to the see of *Lincoln* was confirmed:

¹ *Roger* seems to have thought it the best way of securing his right, to claim more than he could expect to obtain; for his pretensions to these sees were very weak; founded, as to *Lincoln* upon *Lindsey's* being subject to *York* for the short time it was under the *Northumbrian* kings; as to *Chester*, on Pope *Calixtus II's* design of making the bishop a suffragan of *York* (*Stubbs, Anna. Pont. Ebor. col. 1718.*) as to *Worcester*, on its being held by his predecessors jointly with *York*, for some successions in the *Saxon* times; and as to *Hereford*, on its being taken out of *Worcester*.

² *Chron. J. Abb. Petriburg. Ann. 1176.*

³ *Gerwase* the monk of *Canterbury* (*col. 1432*) thinks, that the king sent for him in order to get a divorce from queen *Eleanor*: but he is singular in that notion, and seems to have taken it from

Eleanor's being kept in prison for having excited her sons to the late rebellion, and to prevent her doing the like mischief again. It doth not appear that *Henry* ever took any step for that purpose, nor would it have answered his views if he had succeeded in that point; for then he would have had no pretence to keep her in prison, and he must have quitted all *Guienne*, as *Louis* her first husband had done, upon his divorce. It must certainly appear very unreasonable to impute *Hugozun's* coming to a view that never took effect, and doth not appear to have been so much as attempted; when the cause assigned for it by others, did actually take place; this legate having absolved the king from his vow of going to the *Holy land*.

⁴ *Benedict. Abb. p. 108, 109.* ⁵ *Ib. p. 110. Powell's Hist. of Wales, p. 125.*

but he would not suffer him to be consecrated at that time, because he was too young; HENRY II. and sent him to *Tours* to prosecute his studies, and to qualify himself in point of learning, to be more worthy of his dignity. A. D. 1175.

WHETHER ³ *Henry* had any grounds to suspect those, that had joined in his sons rebellion, of forming a design against his person, he now issued a proclamation forbidding them to come to his court unless particularly summoned, on pain of being taken into custody, as the king's enemies, if they came without summons. This precaution was attended by two others, which seem to have been owing to some such suspicion; because they were observed for a little while, as if they were occasional ordinances: the one, enjoining all persons not to stay within his court after sun-set, or to come thither before sun-rising; the other forbidding all persons to carry arms, *i. e.* bows, arrows, or pointed daggers, on the *English* side of the *Severne*. Many disorders had happened during the late troubles, particularly in respect of his forests; which he proposed to punish or redress in the progress, he was going to make in the northern parts of the kingdom. Before he left *Woodstoke*, four knights with their accomplices, concerned in the murder of *Gilbert*, one of his foresters, and his companions, were brought thither prisoners: and being found guilty were sentenced to be hanged, and executed accordingly. When he came to *Nottingham* and *York*, he found a terrible havock had been made of his deer in those parts, and all orders of men, barons, knights, country people, and even clergymen, having taken the liberty of destroying them, at a time when the laws seemed to be suspended, and when the king himself, in the height of his discontent at the unnatural behaviour of his sons, had wrote to *Richard de Lucy*, that he did not care, if the venison in his forests; and the fish in his ponds, were all destroyed. This *Richard* had published: and a general liberty had been taken in that respect by all sorts of persons, who were now amerced at the king's pleasure, for offences not included in the amnesty, which the king had lately granted². Many of the clergy suffered among others; the legate *Hugozun* having consented that the king should try all ecclesiasticks in his own court, in suits about lay-fees and prosecutions for transgressions of the forest. Whilst an inquisition was making into offences of this kind³, the king took care to have the walls of *Leicester* levelled with the ground, and the castle of *Groby* demolished. The castle of *Huntingdon*, which had been held out against him by earl *David*; and those of *Tutbury*, *Walton*, *Dudley*, *Thriske*, belonging to the earls of *Ferrers*, *Hugh Bigot*, *Gervase Paynel* and *Roger de Mowbray*, with many others, underwent the same fate: nor⁴ could all the bishop of *Durham's* instances save his castle of *North-Allerton*.

THE king came to *York* on *Aug. 10*: and was there met by *William* king of *Scotland*; who, upon the delivery of the hostages and fortresses stipulated in the convention of *Falaise*, had been-set at liberty in the beginning of this year, and returned into his own country, to prepare matters for the execution of the treaty. He brought with him⁵ all the bishops, abbots, earls, barons, knights, and freeholders holding immediately of the crown, from the greatest to the least, in his kingdom, in order to do homage and swear fealty, with him, to the king of *England* and his successors for ever, against all men whatsoever. These different orders of persons

¹ *Benedict. Abb.* p. 111, 112.

² As the scene of these prosecutions is by contemporary writers laid only in those parts of the realm that had engaged in the late rebellion, I take them to be a method used to punish such as had been guilty of it, without infringing the articles of reconciliation; nor could rebels, out of the protection of the law at the time, claim any benefit

from a license, that could not be meant for them whose ravages in the forests probably occasioned it, and was published by *R. de Lucy*, whose express orders in all other points they openly opposed.

³ *Neubr.* l. ii. c. 38. *Dicto*, col. 588. *M. Paris.* ⁴ *Angl. Sac.* i. 723. ⁵ *Benedict.* p. 113. *Ilveden.*

HENRY II. were in those days all the constituent members of the estates or parliament of *Scotland*; the royal burghs, which afterwards enjoyed so many privileges, not being as yet incorporated, or at least not represented in that body: and every individual freeholder (*i. e.* of such as held immediately of the crown by military service, who retain to this day the name of *Lairds*) throughout the nation, being obliged to attend there in his proper person, without a lawful cause of absence (in which case he was allowed to appear by his proxy) ¹ till *March 1, A. D. 1427*; “when the small barons and
 “ freeholders were excused from coming in person to parliaments or general coun-
 “ cils, and authorised to chuse, at the head court of the sheriffdom, two or more wise
 “ men to represent them, according to the largeness of the sheriffdom (except in
 “ those of *Clackmannan* and *Kinross*, which were confined to one) who were to be
 “ called commissaries of the shires, and empowered to elect one wise and expert man
 “ to be called the common Speaker of the parliament: and it was enacted at the
 “ same time, that all bishops, abbots, priors, dukes, earls, lords of parliament,
 “ and bar-rents, should be summoned to council and parliament, by the king’s
 “ special precept.” The cathedral of *York* was the place, where these estates of *Scotland* appeared before the king of *England*: and the convention of *Falaise* being read to them, it received their approbation, and was ratified by *William* and his brother *David*, who put their hands and seals to the instrument, did homage, and swore fealty for all their territories (particularly for *Scotland* and *Galloway*) to *Henry*, against all men, and to the young king his son, saving their allegiance and fealty to his father. The earls and barons of *Scotland* performed the same ceremony of homage and fealty: and swore further, that in case the king of *Scotland* should break the convention, they would assist the king of *England* against him, till he returned to his obedience. The prelates, without doing homage, swore fealty in the same manner, and bound themselves likewise by oath, in case *William* did not observe the articles of the treaty, to put him and his realm under an interdict, till he submitted to the king of *England*’s pleasure, and to pay themselves to the church of *England* the same subjection, as their predecessors used, that is, as *Robert de Monte* expounds it, would be subject to the archbishop of *York*, and go to him, as their primate, for consecration. The treaty being thus executed, *Henry* restored the castles of *Fedburgh* and *Sterling*; but kept in his own hands that of *Edenburgh* for a time, and those of *Berwick* ² and *Roxburgh*, both lying on the *Tweed*, which were now yielded to him and his successors for ever ³, as being necessary for the security of the frontiers of *England*. The ⁴ same author says, that *Henry*, in consequence of his acknowledged superiority, disposed of bishopricks, abbeyes, baronies, and other honours in *Scotland*, or at least they were bestowed by his advice: but however this was, he certainly did ⁵, at *William*’s request, give him leave to invade *Galloway*, and reduce *Gilbert* the son of *Fergus* into the subjection he had formerly paid him; which in consequence of this permission, he soon after effected, to the great advantage of the crown and nation of *Scotland*.

William of
Scott.

XXXI. HENRY having established a firm peace with that kingdom, returned out of the north: and coming to *Windfor* ⁶ about *Michaelmas*, held there a court of his prelates and nobility; in which he had an opportunity of making some provision for the affairs of *Ireland*. He had been obliged, upon the rebellion of his sons, and the defection of his nobility, to call from thence *Richard Strongbow*, *Robert Fitz Stephens*, and others of the first adventurers in the conquest of that country, with a choice party of their forces. They had obeyed his summons with great alacrity, and had

¹ *Parl. of Jac. I. c. 52. 102.* ² See *Hoveden*, p. 662. ³ *M. Paris.* ⁴ *Rob. de Monte.* ⁵ *Beauch. Abb. p. 120. Hoveden.* ⁶ *Ibid. p. 112.*

done him eminent services: *Richard* in *Normandie*, where he was entrusted with the government of *Gisors*; and the rest in *England*, where they contributed to the victory over the earl of *Leicester*. Their absence, and the continual depredations of the *English*, had tempted or provoked most of the *Irish* chieftains to take up arms, to revenge the injuries they had received, and shake off the *English* government. *Hervey de Montmorency*¹, descended of the ancient and noble family of that name in *France*, and uncle to *Strongbow*, had been left general, or (as the style then was) constable² of the *English* forces in *Leinster*, and did all that he could to restrain them from plunder: but their hearts were so set upon it, that all his endeavours only served to incense them against himself, and make them desirous of another commander, that would indulge them in their ravages of the country. In this confusion were affairs in *Ireland*; when *Henry*, about *Michaelmas*, *A. D.* 1173, having repulsed the king of *France*, and reduced the rebels in *Bretagne*, thought *Normandie* so well secured, that he might spare earl *Richard*³: and sent him back to *Ireland* with the title of guardian, and a grant of the town of *Wexford*, and castle of *Wicklow*, to reward his services. *Richard* would not accept of the government, till *Raymond le Gras* was joined with him in the commission: and as soon as he received *Dublin* from *Hugh de Lacy*, the late guardian, he put his colleague at the head of the army⁴, to gratify the soldiers; whom he durst the less disoblige, because he could not pay them; being a very bad œconomist, and having squandered away the treasure he had received from his master. *Raymond*, whose exactness in dividing the preys of war (after the king's portion had been set out) among his soldiers, made him their darling, was no sooner possessed of his post, than he made an incursion in the country of *O Felain*; ravaging every part of it, and plundering *Lismore*, from whence he sent the greatest part of the booty, his forces had made, by sea, to *Waterford*; where, after a victory over a fleet of the *Easterlings* of *Corke*, it arrived in safety. He marched himself thither, by land, with the rest of his plunder, being four thousand head of cattle; having defeated *Dermot Maccarty*, prince of *Desmond*, in an engagement near *Lismore*. These successes might probably have been followed by greater, if the death of his father *William Fitz Gerald*⁵, which served at least for a pretence, or his passion for *Bajilea*, earl *Richard's* sister, had not drawn him over into *Wales*: and by his departure the command of the army devolved again upon *Hervey*.

This General, either in emulation of *Raymond*, or to curry favour with the soldiery, proposed to *Strongbow* an expedition into the country of *Limeric*; and prevailed with him to come with his followers to *Cashel*: but not finding their forces strong enough to undertake it, orders were given for the sending a reinforcement of four hundred *Easterlings* from *Dublin*. These recruits, in their march, had their quarters beaten up in *Offory* by *Donald O Bryen*, prince of *Thomond*: and were all slain with their four leaders; a disaster which forced the earl to retire to *Waterford*, where he was in a manner besieged, not daring to stir out of the city. All *Ireland* ran to arms on this occasion: and *Roderic* king of *Connaght* passing the *Shannon* with a great army, consisting of his own and the united forces of the princes of *Ulster*, wasted all *Meath* with fire and sword; there being no force sufficient to oppose him in the field, and the garrisons of *Trim* and *Duleke* so weak and ill supplied, that *Hugh Tirrel*, the governor, thought fit to demolish the fortifications, and retire to *Dublin*. Earl *Richard*, alarmed at this expedition, sent to *Raymond*; pressing his return with what succours he could possibly raise, and promising⁶ him his sister in marriage: nor did an offer so agreeable fail of bringing him over immediately, with his cousin *Meyler Fitz Henry*, thirty other knights his

¹ *Hist. Genealog. de France*, t. iii. p. 567.² *Gervaf.* col. 1419.³ *Hibern. expugn.* l. i. c. 43.⁴ *Ib.* l. ii. c. 1, 2.⁵ *Ib.* c. 3.⁶ *Ib.* c. 4.

HENRY II. relations, an hundred horse of their followers, and three hundred *Welsh* archers. He arrived at *Waterford* very seasonably; the people of the place having made an insurrection, and resolved upon a general destruction of the *English*: but though the sight of his fleet prevented its execution at that time, yet upon the earl's removal to *Wexford*, and the governor of *Waterford's* being treacherously killed in a boat, upon the *Suire*, by the *Easterlings*, they soon after fell upon the *English* in the town, killing all they met; though they were forced at last, by the garrison, that retired to *Reynald's* tower, to submit upon conditions. At the time of this last attempt, *Raymond* was with the earl, whom he had escorted to *Wexford*; resolving not to stir from thence, till his marriage with *Basilea* was consummated: but that affair being over, he marched into *Meath*, and repaired the castles of *Trim* and *Dulke*; *Roderic* retiring with his army into *Connaght*. *William*, son of *Maurice Fitz Gerald*¹, coming over soon after from *Wales* with a further recruit, *Strongbow*, to encourage such adventurers, gave him his daughter *Aline* in marriage, with the castle of *Wicklow*, and the middle cantred of *Offaly*: and bestowed the other two cantreds on *Meyler*, and two brothers of the name of *Hereford*.

THE king of *Connaght* being, after his retreat, apprehensive of a visit from *Raymond*, in revenge of the havock he had made among the *English* settlements in *Meath*, thought it adviseable to send the archbishop of *Tuam*, with two other clergymen his ambassadors to the court of *England*, to sue for peace, and to renew his submission. The king received them at *Windsor*: and on *October* 6, a treaty² was concluded; by which *Henry* receiving *Roderic* for his liegeman, allowed him to retain the title of king, and to enjoy his territories, as fully and quietly as he did before the king's coming into *Ireland*, upon his paying every tenth hide of all cattle in the countries under his dominion: and all his subjects, that held lands under him, paying the same tribute, were confirmed in their possessions. The ambassadors engaged for *Roderic*, that he should bear true allegiance to the king of *England*, serve him faithfully, use his power for the due payment of the tribute, and deliver hostages for the performance of those engagements. This submission of the monarch of *Ireland*, and the terror of *Raymond's* name, kept most of the little princes of that country quiet: only *Donald* prince of *Thomond* and *Limeric* still continued to infest the *English*. *Raymond*, to put a stop to his incursions, marched with an hundred and twenty knights³, three hundred of their followers on horseback, and a party of four hundred archers, to attack *Limeric*: and passing with an amazing intrepidity over one of the branches of the *Shannon*, which encircles the place, at a very dangerous ford, in sight of all the enemies forces, took the place in the beginning of *October*. He left in it a garrison⁴ of fifty knights, and two hundred horse, with as many archers: and returned into *Leinster*; having acquired glory enough by this successful expedition to raise the envy of *Hervey de Montmorency*; who, though he had lately married his cousin *Nesta*, daughter of *Maurice Fitz Gerald*, was yet his rival in power. This nobleman, whose name is found among the subscribers to the constitutions of *Clarendon*, is represented as a crafty politician, and was certainly in great favour and credit with his master the king of *England*: and it is imputed to his suggestions, as if *Raymond* had a design of setting up for himself in *Ireland*, and conquering the whole kingdom, that *Henry*, who was always jealous on that head, sent four commissioners thither; two of them being to come back with *Raymond* to *England*, and the other two to stay with *Strongbow*, and observe his conduct.

A. D. 1176. THESE commissioners arriving at *Waterford*, in the beginning of *A. D.* 1176, *Raymond* made preparations to set out for *England*: and was ready to embark, when

¹ *Hibern. expugn.* l. ii. c. 5. ² *Benedict. Abb.* p. 123. ³ *Hibern. expugn.* l. ii. c. 8. ⁴ *Ib.* c. 10, 11.

⁵ *Ib.* c. 12, 13.

advice came, that *David* prince of *Thomond*, with an infinite multitude of people, had invested *Limeric*: and the garrison, having consumed most of their provisions during the winter, stood in need of immediate relief. The earl was eager to march without loss of time: but the army refused to stir without *Raymond*; who was willing, if the commissioners allowed him, to undertake the service. With their consent, he set out at the head of eighty knights, and two hundred ordinary horse, and three hundred archers: and was joined on the road by *Murchard* and *Donald*, kings of *Kilkenny*¹ and *Offory*, with a body of *Irish*. The prince of *Thomond*, upon intelligence of this march, raising the siege of *Limeric*, advanced with his forces to meet him near *Cashel*, in a very difficult pass; which he rendered more so, by throwing up ditches, and lining the banks with trees cut down and laid across, plashed hedges, and other fortifications of the fashion of the country. Notwithstanding these precautions, *Raymond*, on *Easter-eve*, forced his way through the pass at the first onset; put the enemy to flight: and on the *Tuesday* following entered triumphant into *Limeric*. He had soon after a conference with the princes of *Connaght* and *Thomond*, on the same day, but in different, though adjoining, places, near *Killaloe* on the *Shannon*: and both princes swearing an inviolable fidelity to the king of *England* and his substitutes, gave hostages for a farther assurance of their resolution. *Raymond* was scarce returned to *Limeric*, when he was solicited by the promise of great presents to himself, and of good pay to his soldiers, to march to the assistance of *Dermot Maccarty*; who was almost driven out of his principality of *Desmond*, by his son *Cormac O Lechan*. Tempted by these offers, and considering that *Dermot* was a vassal of the crown of *England*, *Raymond* marched towards *Corke*; expelled the rebel son: and having restored the father to the possession of his territories, returned with his small army, laden with booty and glory, to *Limeric*.

He had not been long there, when an accident happened; which affected greatly the affairs of *Ireland*, and was likely to involve the kingdom in new troubles; at a time when there was a reasonable prospect of its enjoying a long tranquillity. *Richard Strongbow*, earl of² *Pembroke*, had been dangerously ill for some time: and died on *June* 1, at *Dublin*, without any issue male; his son *Walter* being dead before him, and leaving *Isabel*, his only child by *Eva*, daughter of *Dermot Mac Murrough*, heiress of all his possessions in *Leinster*; who, being the king's ward, was by *Richard* I. bestowed upon *William Marshal*, created afterwards earl of *Pembroke* by king *John*, on the day of his coronation, and marshal of *England*. *Basilea* took care³ to conceal her brother's death, till she had sent advice of it to her husband, by a letter wrote in mysterious language, to prevent any discovery from it, if intercepted, but yet intelligible to *Raymond*; who immediately consulted his trusty friends about the measures proper to be taken on that occasion. They agreed it to be absolutely necessary for him to repair immediately to *Dublin*, to take care of the government now devolved to him by *Richard's* death; and to do so before that event was known to the *Irish*: but the great difficulty was, how to leave a sufficient garrison, and find a proper governor for *Limeric*. *Raymond* was very loth to quit a conquest he had made, and preserved so much to his honour and advantage: but no body cared to undertake the charge of a place so remote from all succour, with a weak garrison; it being necessary to draw off the greatest part of the forces there quartered, as well for his escorte, as for the dispersing them in the maritime towns and forts of *Leinster*; which would probably be attacked by the *Irish*, elated at the death of a person, whom they dreaded as the conqueror of their country. Thus having no other party to take, he was forced to pretend a confidence in *Donald* prince of *Thomond*, and to entrust him as a baron and vassal of the crown

¹ i. e. *Kanicecella*.² *Monast. Angl.* t. i. p. 721.³ *Hibern. espugn.* lb. c. 14.

HENRY II. of *England*, with the custody of *Limeric*; taking however from him new hostages and fresh oaths, to preserve the peace, to defend the place, and restore it to the king upon demand. He had the good fortune to have his conduct in this respect approved by *Henry*; who said on the occasion, that the attack of the place was a daring enterprize, and the relief of it still more presumptuous, but the quitting it was the only act of prudence. Such were the sentiments of a wise prince, who judged of measures by the reason of things, rather than by the event; for *Raymond* was scarce over one end of the bridge, when the *Irish* broke down the other, and not out of sight of the town, which was well fortified and supplied with victuals, before it was fired in four places; so little was the regard which that people had to their oaths, and so great their aversion to fortified places. The commissioners¹, upon the earl's death, making haste to *England* to acquaint the king with the alteration of affairs, *William Fitz Aldelm* and *John de Courcy* were dispatched over to *Ireland*, as procurators or lords justices of the realm, with an equipage of ten knights for each; the like number being assigned to *Robert Fitz Stephens* and *Miles Cogan*, who accompanied them thither. *Fitz Aldelm* was the first in the commission: and having likewise the charge of seneschal, it was to him, that upon his arrival at *Wexford*, *Raymond* surrendered the government, and delivered the cities, forts, and garrisons of *Leinster*, with the hostages of all *Ireland*.

Justice itinerant instituted.

XXXII. WHILST these things passed in that kingdom, *Henry* was employed in making useful regulations in *England*. Thus in a great council² of the prelates and barons held, on *January 25*, at *Northampton*, to consider the laws and statutes of the realm, several constitutions made in that of *Clarendon*, with regard to laymen and criminal matters, were enforced and amended: and the old *Saxon* rule of not suffering a stranger to lodge above one night in a place, without a reasonable excuse, was revived. A further provision was made for the preventing of murder, robbery, false coining, and clipping, malicious burning of houses, and the harbouring of persons guilty of such atrocious crimes, too common in those days; as well by enhancing the severity of the punishment, as by facilitating the conviction of offenders, in not allowing them to retract before the king's justices, what they had once confessed before the magistrate of a town, or the bailiff of an hundred. Criminals in those instances were now to be punished with the amputation of the right-hand, as well as of the foot: nor could rusticks escape entirely by being acquitted in the water *Ordeal*; for if in the common opinion of the country, and by the report of the principal gentry, they were deemed guilty, they were in forty days to remove their effects, and quit the kingdom, or even abjure it, if the king pleased. Such superstitious methods of trial were now growing out of fashion, and to save gentlemen from the death, infamy, and other mischiefs arising from the *Norman* custom of duels³, this king had already instituted the *grand assize*, and allowed suits about freeholds, services, and advowsons of churches, in which civil pleas alone duels could be demanded, to be at the choice of the parties, tried by a jury of twelve knights, or (if so many were not to be had) of twelve freeholders, named either by the sheriff, or by four legal knights of the country returned by that officer, and all acquainted with the fact in question, and liable to the same exceptions, as are made in ecclesiastical courts to witnesses. It appears from the fourth ordinance made in this council, for securing to the heirs of freeholders the possession of their father's lands and goods (saving to relict's their dower, and to legatees their bequests) that the institution had taken place before this time; as it doth from some of the constitutions of *Clarendon*, that it either was observed before, or was then established. As this

¹ *Libert. expugn. ib. c. 14.*

² *Benedict. Abb. p. 131, & seq. Hoveden.*

³ *Chaucer, lib. 6. c. 7.*

10, 11, 12, 13, 17, 19.

council of *Northampton* was called expressly to confirm, amend, and regulate what had been done in that of *Clarendon*, and probably had not been since duly observed, by reason of the troubles which immediately ensued on *Becket's* opposing the ecclesiastical customs there declared, it is not unreasonable to suppose, that the institution of itinerant justices, generally placed in this year, had commenced from *A. D.* 1164, when the last mentioned of these councils was held. At least we find in the pipe-rolls frequent mention made of such justices in different counties, from that year to this time: and a large list may be seen of them in *Madox's History of the Exchequer*.

THE earl and his deputy were of old the ordinary justiciaries in counties: but from the time of *Alfred*, when the high sheriff had the same authority vested in him, independent on the earl, the king used to appoint justiciaries also to sit in the county-courts, perhaps not as constant judges, but sent occasionally, like the imperial *Missi*, or delegates in *France*, and other parts of the empire, from the time of *Charle-Magne*. Justiciaries of the forest seem to have been instituted by the *Conqueror*, upon the establishment of the forest laws: but all other matters, as well civil as criminal, reserved to the cognizance of the king's court, after the conquest, seem to have been determined by the king himself, or the chief justiciary, either in their several *iters*, or in the places of their residence. This seems to have been the ordinary method, till the times of war and confusion that followed *Stephen's* usurpation; when it being impracticable, as well for the prince, or his justiciary, to make a regular progress, as for litigant parties to attend them, some great men were empowered to administer justice in such cases, within the respective counties assigned for their jurisdiction. When *Henry* came to the crown, and made various regulations for redressing the disorders introduced in the late times of confusion, he appointed also justiciaries to take care, that they were duly executed through the kingdom: and he was himself extremely vigilant in observing their conduct. These might possibly be appointed for that particular purpose, and not have such a general power to determine pleas of the crown and civil ones, to the value of half a knight's fee, as was given to justices itinerant by this council, and perhaps by that of *Clarendon*; from which time they had their circuits assigned them, though not fixed to the same bounds, nor themselves limited to the same number, as they were by this council of *Northampton*; which dividing the realm into six circuits, assigned to each three justices. In the interval between those two councils, some ecclesiasticks were joined with noblemen in such commissions: but the justices now appointed seem all to be taken out of the lay-nobility, and were charged particularly to put the statutes, made in this council, in execution. Their instructions likewise obliged them to enquire into all dissensions since the king's return, after the peace with his sons, into *England*; to administer the oath of fealty, within eight days after *Whitsontide* at farthest, to all noblemen, knights, freeholders, and husbandmen minded to stay in the kingdom, every recusant being to be reputed the king's enemy; and to fix a time for such as had not done homage, and professed allegiance to the king, to come in, and perform their duty in that respect. They were also to enquire, who had fled out of the kingdom, and prosecute them to an outlawry, if they did not return by a time appointed, and stand to justice in the king's court; and to see that the castles, already dismantled, were thoroughly demolished, and all others levelled with the ground, that were ordered to be destroyed. Two other branches of their enquiry related to the persons and duties of such as were obliged to castle-guard, and to escheats, lands, women, and churches that were of the king's donation: but though these are all the particulars of their inquest mentioned by cotemporary writers², many others were added to them before the time of *Bracton*.

¹ P. 99, 100.² L. iii. Tract. ii. c. 1. § 3.

Henry II. To this council of *Northampton* came the king of *Scotland* with several bishops and abbots of that kingdom, in order to profess the same subjection to the church of *England*, as their predecessors had done in former times¹: but when they were required to do so, they denied that their predecessors had ever paid any, and asserted their own independence. *Roger* archbishop of *York* produced instances of such subjection being paid of old to his see by the bishops of *Whitburne* and *Glasgow*, and the bulls of several Popes establishing or confirming the primacy of *York* over all the sees of *Scotland*: and, as he was supported by facts, might probably have carried his point, if he had not been opposed by the archbishop of *Canterbury*. This prelate would fain have drawn them into a subjection to his church; and though he had no evidence to make good his claim, insisted so warmly on it, that the king allowed the *Scots* to return home without any acknowledgment of subjection. The dispute between those two metropolitans, in the article of precedence, was soon after carried to a very great length, in a synod of both their provinces, held in the middle of *Lent* by the Pope's legate, cardinal *Hugues*, at *Westminster*. The question was, who should sit on the right-hand of the legate, which both claimed as the most honourable place; *Richard* asserting it to be the right of his church, according to ancient invariable custom²; and *Roger* claiming in virtue of the priority of his consecration, according to a constitution of *Gregory the Great*, regulating their precedence in that manner. This last, coming first into the chapel of *S. Catherine*, where the synod was held, got possession of the place: but upon *Richard's* coming in, and refusing to sit on the left-hand of the legate, warm words ensued, though the king was present; and the suffragans of *Canterbury* with their followers being the stronger party, *Roger* was violently pulled out of his seat, thrown down, trampled under foot, and treated with other indignities. *Hugues* was very angry at this proceeding, which occasioned the synod to break up abruptly: and thinking it done by the archbishop of *Canterbury's* instigation, summoned him to answer for it before the *Pope*; to whom *Roger* likewise appealed. But *Richard*, with a sum of money, soon prevailed with the legate to drop his appeal; though *Roger* still insisted on his, and would agree to no accommodation, but by the *Pope's* award. The king, about the middle of *August* following³, called a council at *Winchester*, to make up this difference: but all he could do, was to get them to refer the matter to the archbishop of *Rouen*, and other foreign bishops, and to wait five years for their determination.

Young Henry's discontent and perverseness.

XXXIII. HE was scarce more successful in reconciling to himself the mind of his eldest son, which was corrupted by the flatterers about him; who were continually plying him with groundless jealousies, and putting him upon wrong measures. The king did⁴ all he could, by fair and rough means, to reclaim him; paid all the debts he had contracted by his profuseness: yet nothing could engage him to stay in *England*; and pretending devotion, he desired leave to go in pilgrimage to *S. James of Compostella*. *Henry* at last gave him leave to go into *Normandie*; and he went with his queen to *Portsmouth*: but was detained there by contrary winds, till his brothers *Richard* and *Geoffrey* landed on *Good Friday*, at *Southampton*. The occasion of the former of these princes coming over was a war, in which he seems to have been engaged by the executing of his father's orders for demolishing the castles of the rebels in *Guienne*. *Arnaud de Bourville* having refused⁵ to deliver up his fortress of *Chatillon sur Agen*, *Richard* had besieged it the last year for two months, before he could force the garrison to a surrender: and now he found himself opposed by a

¹ *Becket*, p. 136. *Hoveden*. ² *Ib.* *Naubrig*, l. iii. c. 1. *Dicte*, col. 588, 589. ³ *Becket*, p. 145. ⁴ *Ibid.*, col. 588. ⁵ *Benedict*, p. 122, 141.

formidable

formidable confederacy of other barons of that dutchy, particularly *William Taillefer* HENRY II. A. D. 1176. count of *Engoulesme*, the viscounts of *Limoges* and *Turenne*, the lords of *Chabannes* and *Mastac*, and other barons. The king was at *Winchester*, when *Richard* arrived: and sending for *Henry*, persuaded him to wave his voyage to *Compostella* till the war of *Guienne* was over, and to go with his brother to reduce his enemies in that country. The prince agreeing to the proposal, set sail from *Portsmouth* on *Monday, April 19*: but as soon as he landed at *Barfleur*, went with his wife to the court of *France*; where he passed two months, without any regard to his promise of accompanying his brother to *Guienne*.

RICHARD, however, being supplied with money by his father, raised a great army in *Guienne*¹: and soon after *Whitsonide*, routed a body of *Brabantins*, in a battle fought between *S. Megrin* and *Bouteville*. Advancing after this victory into the *Limouzin*, he took the castle of *Aixe*, with forty knights in it: and soon after investing *Limoges*, took it in a few days, and went from thence, after *Midsummer*, to *Poitiers*; where a council was held about the further operations of the campaign. The young king came thither, and it being resolved to march against the count of *Engoulesme*, he attended his brother to the siege of *Chateaufort*: but leaving him about a fortnight after, returned to *Poitiers*; where he gathered to him a parcel of *French* and *Norman* knights, that were enemies to his father, and took them into his service and family. These were instigating him to such detestable measures, that *Adam de Chirchedun*, who was about him in the post of chancellor, could not forbear writing the king an account of their proceedings and designs, according to his duty and oath of allegiance. This account being intercepted, young *Henry* would have put *Adam* to death, had he not been an ecclesiastick: but his privilege being asserted by the bishop of *Poitiers*, he resolved to torment him as much as he could, without killing him outright. *Adam* was accordingly, with his arms tied behind him, and stark naked, whipped through the streets of *Poitiers*, and treated in the same manner through every town he passed, in the way to *Argenton*; where he was kept in prison, till the king sent four knights of his household, to fetch him over into *England*, to the great mortification of young *Henry*, who was vexed that *Adam* got out of his hands alive. Such was the conduct of this young prince, whilst *Richard* was acquiring glory in *Guienne*; for though he was thus deserted by his brother, he pursued the war with vigour, and after taking some castles at down before *Engoulesme*.

THE count himself and his son, *Aimery* viscount of *Limoges*, the viscounts of *Ventadour* and *Chabannois*, were in the place: and as the taking of it was likely to put an end to the war, *Richard* pushed on the siege with so much application, that in six days, they were obliged to capitulate. The articles seem to be made, not only for the city, but for *Bouteville*, *Archiac*, and other castles belonging to the count, which were likewise delivered up: and hostages being given for their throwing themselves at the king his father's feet to sue for mercy, they were sent with other rebels to *England*; but remitted thence back again to *Richard*, *Henry* deferring their fate, till he came over himself into *Normandie*.

XXXIV. THE king seems to have been employed² in *England*, chiefly in seeing *Framingham*, *Bungey*, *Maleffart*, and other castles of the rebels demolished; and in seizing into his own hand for a time, those of other barons, who had not deviated from their duty; committing them to the care of his own warders. This step he seems to have taken in *Normandie* as well as *England*, by way of precaution against the intrigues of his son, whose weakness, perverseness, and violent discontent, rendered him capable of entering into any measures that the malevolence of his favourites

The king secures the castle of private persons, and regulates matters relating to the clergy.

¹ *Benedict.* p. 148, 149.

² *Hoveden.* *Benedict. Abb.* p. 155, 152.

HENRY II. could suggest: and he took it with so little distinction of persons, that the most trusty of his ministers, *Richard de Lucy*, had his castle of *Ancre*, in *Essex*, so secured: an equality of treatment, proper to keep others from complaining, or imagining that it was done in their case because they were suspected. It is evident from an infinite number of records, and many passages in history, that no body could erect a castle, or *kernel* a house, that is, fortify it with battlements, without a license from the king, in any of his dominions of *England*, *Normandie*, or *Guienne*: and such license implying a provision, that it was to be of no prejudice to the state; that those fortifications were not to be used against the crown; nor so weakly guarded as to be easily seized, and serve to harbour an enemy, our kings used frequently, when a war was breaking out, or had actually commenced, to take them into their own hands for the greater security of their dominions, and the common good of the people; a care so incident to the royal authority, that no king, retaining his crown, can by any act of his renounce. I conceive it to have always been part of the prerogative of our kings, to take into their own hands, in times of danger, suspicion, and trouble, the castles of all particular persons whatever: and it was¹ maintained to be their prerogative not only in *England*, but in all other countries of *Europe*, by that learned nobleman so well skilled in our laws, *Aubrey de Vere*, and by *Hugh III.*, archbishop of *Roüen*, when they pleaded *Stephen's* cause in the council, called by *Henry* bishop of *Winchester* to examine into that prince's seizure of the castles belonging to *Roger* and *Alexander*, bishops of *Sarum* and *Lincoln*. But though *Henry* might have done this in virtue of his single authority, I make no question but he acted in it by the advice, and with the consent, of his prelates and nobility; whom he assembled on all important occasions, and so frequently when he was in *England*, that in the year we are speaking of, scarce a month passed without the holding of a great council. He was the wisest prince of his age, and stood certainly in as little need of advice as any one: but he always took his measures with mature deliberation, and a well-informed judgment; and thought it prudent to consult his nobility, even in cases where his own family was concerned, and where there was very little occasion, either for their advice or concurrence. Thus he consulted them with regard to the marriages of his daughters *Eleanor* and *Jane*, which were agreed to this year; though he paid their fortunes out of his own purse, without asking any aid of his nobility or people. The first² was disposed of to *Alfonso* king of *Castille*, and the latter to *William* king of *Sicily*, a prince of *Norman* original; both of them honourable and useful alliances, liable to no objection.

CARDINAL Huguezun is said to have contributed much to the last of these matches, by the character which he gave to *William* of the great merit and beauty of the young princess. This legate came over to absolve the king from his vow of going to the *Holy Land*: and the *Pope* improved the opportunity, offered by the royal assent, to charge him with the exercise of his legatine powers in the visitation of all the churches of *England*, and with seeing the stipulations, made at *Henry's* absolution after *Becket's* murder, duly executed. These stipulations obliged the king, not to give up the constitutions of *Clarendon*, or any custom that prevailed in the times of his predecessors, but only such as had been introduced in his own: and as the trial of the clergy in his courts for criminal matters, to which the shameful abuses of the exemption they claimed, arising from the disorders of the late usurpation, had given occasion³, might be pretended to be of this last sort, he consented that no clergyman should, for the future, be called to answer before a lay-judge, for any crime or transgression, except those against the forest laws, and in case of lay-tees, which owed services to the crown, or any mesne lord. He consented likewise

¹ *Malmesb. Hist. Novel.* l. i. *Diceto*, col. 591.

² *Heoveden*, p. 551, 555. *Benedict. Abb.* p. 142.

³ *M. Paris.*

not to keep prelacies vacant above a year, unless for a plain reason, or in case of necessity; and that the clergy should not be obliged to maintain their right by duel; to which he had the less to object, because he had given the laity a like privilege by the institution of the *grand assize*. This last concession seems not to have come within the view of those stipulations, but to have been the pure effect of the king's regard to justice and equity: as was likewise the fourth, which he made at this time in favour of the clergy, and which it cannot be improper to explain.

It was an old custom of the church of *England*, that the murderers of ecclesiasticks of any rank, station, or dignity whatsoever, were punished only with excommunication: and this was the reason why the assassins¹ concerned in the murder of *Becket*, were only sent to *Rome* for the Pope's absolution, upon their performing the penance enjoined. One is naturally tempted to imagine, that this custom or law was introduced by way of retaliation for the slight punishment of such ecclesiasticks as had an hand in killing laicks, or was at least owing to such criminals being left to the mercy or sentence of the bishops in their ecclesiastical courts; who could not inflict a capital penalty, or denounce any other against the guilty than excommunication. But I am apt to think it arose from the piety, lenity, and charity of our *Saxon* kings and bishops, less disposed to revenge, than desirous of the reformation of an offender: and perhaps the benefit of the church might be a motive for it; all such murders being (as might be shewn from numberless instances) constantly followed by considerable benefactions to the sees, convents, and churches, to which such murdered ecclesiasticks belonged. *Richard*, the immediate successor of *Becket* in the see of *Canterbury*, complains heavily, in one of his letters, of this custom, and "thinks it intolerable that the killer of a sheep should, if he absconded, be excommunicated, and if, being taken, he either confessed, or was convicted, should thereupon be hanged; yet such as murdered clergymen and bishops should be only sent to *Rome*, and return thence in triumph with the reputation of a papal pardon, and act of grace, to live at home in delicacy, luxury, and grandeur." Whether this prelate had any view to the noblemen who had killed his predecessor, in what he says of such criminals returning from *Rome*, favoured with the *apostolical grace*, to live afterwards riotously at home (and certainly in his time we hear of no others going thither for such a purpose) he owns the treatment was no more than the clergy deserved. "The king, says he, claims a right to punish such excesses: but we (speaking in the name of the clergy) retain them to ourselves; damnably indeed, to promote the impunity of such enormous crimes; and we richly deserve it for usurping upon another's jurisdiction." The king, ever zealous to punish crimes according to their demerit, and to protect the lives of his subjects, readily agreed to redress this grievance: and passed an act², that the murderers of ecclesiasticks should be tried in his court, before the justiciary of the realm, in the presence of the bishop of the diocese, or his official; and besides the usual punishment for the murder of laymen, should forfeit for themselves and their heirs, all their real estates and lands of inheritance. In all other points the constitutions of *Clarendon*, as being the ancient customs of the realm, were to be observed; and, to prevent all ambiguity, had been re-enacted in the late council of *Northampton*: and as *Becket* had refused to plead in the king's court, when sued by *John Marechal* for *Mundebam*, the Pope himself, by a bull³ dated *October 1*, at *Frascati*, gave up that point; and declared, that all causes about estates and possessions belonged to the cognizance of the king's courts.

¹ *Petr. Blisenf.* ep. 73.² *Dicto*, col. 592. *Gervaf.* col. 1433.³ *Dicto*, col. 602.

HENRY II.
A. D. 1176.

HUGUEZUN having done his business, and got a vast sum of money² from the churches he had visited, went away at the latter end of *June* into *Normandie*; where he made a like visitation: and in the next month cardinal *Vivian* landed at *Dover*, with the character of legate in *Scotland*, *Ireland*, and the neighbouring islands. This legate was sent over at the request of the *Scotch* bishops: who, having by the dispute between the metropolitans of *York* and *Canterbury* at the council of *Northampton*, escaped making their profession of subjection to the church of *England*, had sent agents privately to *Rome*, to put themselves under Pope *Alexander's* protection, and desire his interposition to save them from that subjection. *Vivian* was accordingly sent over: but the king having probably some notice of the design, by the time the legate got to *Northampton*, sent the bishops of *Winchester* and *Ely* to ask him how he presumed to enter his realm without a license, and to let him know, that unless he agreed to what the king required, he would not be suffered to proceed any further. The legate, frightened at the message, followed the advice of these bishops: and agreeing to what was demanded, swore that he would not, in the course of his legation do any thing to the prejudice of the king or kingdom. He was thereupon allowed to pursue his journey towards *Scotland*, with *Henry's* pass and commendatory letters to the bishops and abbeyes of his realm, that lay in the road thither, to give him an honourable reception. The king of *Scotland*³, was at this time on his way to the court of *England*; bringing with him *Gilbert* lord of *Galloway*, whom he had reduced, in order to do homage and swear fealty to *Henry* against all men: which were accordingly performed in the beginning of *October*. This lord paid likewise a thousand marks of silver, either as a fine for the death of his brother, who was related to the king, or as a present to procure his good-will: and having delivered his son *Duncan* an hostage for his future peaceable behaviour, was received into the king's protection, and re-instated in the possession of all his territories.

HENRY, after this transaction, seems to have made a progress into the north: but having kept his *Christmas* at *Nottingham*, came from thence to *Northampton*; where⁴ about the middle of *January* he held a great council to settle his affairs in *England*, before he went abroad to visit his foreign dominions. *Robert* earl of *Leicester* had been in disgrace ever since his rebellion: but one of his vassals, *W. de Cabaines*, pretending in this council to hold his barony, not of the earl, but of the king, with whom he thought to curry favour by that pretence, *Robert* was sent for to answer the allegation: and did it with so much modesty and submission to the king's pleasure, that *Henry* immediately restored him to all the lands he had formerly possessed; except the castle of *Montforel*, which was found by an inquisition to be held of the crown, and that of *Pacey*, which the king kept in his own hands, as being a frontier place in *Normandie*. He restored at the same time *Hugh* earl of *Chester* to all his estate, except the castle of *Chester*: and gave *W. de Albini* the earldom of *Arundel* or *Suffex* with all the lands of his father, deceased about four months before. *Guy* dean of *Waltham-croft* resigning his deanery, the king converted that college of secular clergy into an abbey of canons regular; giving *Guy* a manor for his life, and making a valuable compensation to each of the prebendaries: and⁵ the abbess of *Ambresbury* being deposed for her incontinent life, and the rest of the nuns being alike infamous in that respect, he filled the convent with nuns from *Montevrault*; allowing the deprived abbess ten marks a year, out of charity, to keep her from starving, and having the Pope's consent for both these changes of the original constitution of those societies.

¹ *Chron. Gervasi.* col. 1433. *Benedict. Abb.* p. 144. 137. ² *Ib.* p. 155. ³ *Ib.* p. 162. 164. 165. 166. *Hoveden.* ⁴ *Chron. Gervasi.* col. 1434. *Benedict. Abb.* p. 167. 209. 221. 142. 143. 164. 168. 200. 201. *Hoveden.*

To this council came embassadors from *Philip* count of *Flanders*, to put the king in mind of a promise he had made him of certain sums¹ of money, for the soul of his brother *Matthew* count of *Boulogne*, and for the relief of the *Holy Land*, upon the count's deferring his journey thither till *Easter*: which *Henry* had desired might be put off, for fear he should get the crown of *Jerusalem*. on the death of *Baldwin*, who was the king's cousin-german. *Philip* signified at the same time, that proposals had been made him by the king of *France* for marrying one of *Matthew's* daughters to his son, and another to the son of the count of *Blois*: but he did not care to dispose of them without *Henry's* advice; who took care to make good his promises, though the count, forgetting the oath he made in this last respect, married his nieces soon after without the king's consent. *Philip* setting out for the *Holy Land* soon after *Easter*, *Henry* supplied him with five hundred marks: and sent a thousand more for the same service, by *William de Mandeville* earl of *Essex*, and other *English* noblemen and knights hospitallers, that accompanied him in the expedition.

HENRY II.
A. D. 1177.

XXXV. THE king held another council about *Candlemas*² at *Marleborough*: and going about *Feb. 22* to *Winchester*, sent orders to all his high sheriffs and bailiffs throughout the realm, to make a strict inquiry, as well into all tenures Inquisition into divided fiefs: and preparations for a foreign expedition. *in capite*, within their several bailiwicks, the present tenants, with the services either due, or actually done, for them; as into the partition of baronies and other fiefs, the tenants and services thereof, and to make a return of the result of this enquiry into the exchequer by *Easter*. It was by the advice of his privy council or officers of his household, that he sent orders to all the earls, barons, and knights of the realm, that held of him *in capite*, to be ready with horses and arms on *May 1*, at *London*, in order to follow him into *Normandie*, and stay abroad with him for a year, at their own expence, in his service: and in the mean time, to send each an account, in what manner and with what number of knights, they could come at that time, without any great inconvenience. His foreign dominions seem now to have been in such a condition as not to stand in need of these extraordinary preparations; though the viscount of *Dax* and count of *Bigorre* had raised some disturbance in *Gascogne*³: but prince *Richard*, having soon after *Christmas* marched against them, and taken *Dax*, *Bayonne*, and other places, put a stop to the depredations committed by those of *Sorge* and *Lesperon* upon pilgrims going to *Compostella*, and forced the people of *Navarre* and *Biscay* to promise upon oath to keep the peace, established before the end of *January* a general tranquility in all those countries. *Henry* had also at the same time an occasion to assert his rights in *Berry*, a province depending on the dutchy of *Guienne*⁴; where, upon the decease of *Ralf de Deols*, the richest and most powerful baron of the country, leaving onely one daughter three years old, this heiress, whose wardship and marriage belonged to him, had been carried off by her relations, who stood on their defence and fortified their castles. But having ordered his eldest son to march immediately against them with the forces of *Normandie*, the young king had made a good beginning by the reducing of *Chateauroux*: and there appeared nothing as yet in that affair to afford occasion for an armament; which could only be necessary in case of a war with *France*; which however, not breaking out so soon as his apprehensions suggested, allowed him to defer the rendezvous, till he had dispatched an affair, which did great honour to his judgment and equity.

THERE had been a dispute for some years between *Alphonso*⁵ king of *Castille*, and his uncle *Sanchez* king of *Navarre*, about some territories usurped by the latter

¹ *Ibid.* ² *Benedict.* p. 170, 171. ³ *Ibid.* p. 162. ⁴ *Ibid.* p. 154. 163. ⁵ *Ibid.* 171, & seq. 138. *Hoveden.*

HENRY II. upon the former, during his minority, in revenge of a like usurpation made by one of his ancestors: and at last they had agreed to refer all their differences to the judgment of the king of *England*, obliging themselves to abide by his award. Several bishops and other great men were sent over by both parties to receive *Henry's* decision; with advocates to plead their cause, and two champions, famous for valour, bravely equipped for a duel, in case he should adjudge the controversy to be decided in that manner. Upon the arrival of these honourable persons, the king summoned all his prelates, earls, and barons of *England*, to meet at *London* on *March* 13, being the first *Sunday* in *Lent*, to assist him in the decision he was to make: and the facts being stated on both sides, without any contradiction to one another, he adjudged to each of the kings the respective territories that had been usurped upon them (which they received with great satisfaction) and dismissed their ambassadors with magnificent presents.

DURING the sitting of this council, at which the bishop of *Whithorn* assisted, and (as ¹ *Brompton* says) so many abbots, deans, and archdeacons, that it was not easy to number them, a brother of *Robert* earl of *Ferrers* was killed privately in the night at *London*, which seems at this time to have been very ill governed. The city held of the crown, like the cinque ports, by barony or a military tenure: and on that account the citizens were reputed noble or gentlemen, and had generally the appellation of the barons of *London*². They were very fond of military exercises, to which they were constantly trained: and an extravagant custom had prevailed amongst them, not arising so much from indigence as from wantonness and a frolicksome humour, for a hundred or more of the sons and relations of these noble citizens, to rove through the streets in the night, breaking open and plundering the houses of rich people, and killing such as they found in their way without mercy, so that no body durst stir out of their doors after it was dark, for fear of being murdered. They had about three years before broke into the house of a rich citizen; who having intelligence of their design, was ready with a number of his friends well armed to receive them: and one *Andrew Bucquinte* and being wounded and taken, upon the promise of pardon as to life and limb, discovered his accomplices, several whereof fled, and others were seized. Among these last was *John Senex*, one of the noblest and richest of the citizens, who failing in his purgation by the water ordeal, offered the king five hundred marks of silver to save his life: but *Henry*, inexorable in the punishment of heinous crimes, ordered *R. de Lucy* to pass sentence upon him, and the man was hanged.

Measures for
the security of
England and
Ireland.

XXXVI. THE king after *Easter* made a progress into the *East-Angles*³: and passed from thence to *Gedington* in *Northamptonshire*; where he held a council of his prelates and nobility, to provide for the peace and security of the kingdom. The methods proper for that purpose were the subject of various debates, as well there, as at *Windsor* and *Oxford*; in all which places the king held great councils, one immediately succeeding the other: the custody of castles, was one of the points which came under the consideration of these councils; and it being thought proper to change the governors of some of the most important, he put in their stead the most trusty knights of his household; making *William* and *Roger d'Essouteville* governors of those of *Roxburgh* and *Edinburgh*, and committing the custody of *Scarborough* to *Roger* archbishop of *York*, *Norham* to *William de Neville*, and the castle of *Durham* to *Roger de Conyers*. *Hugh* bishop of *Durham* had lain under great suspicions ever since the late rebellion: he now gave the king two thousand marks, as well to gain his good will, as to procure a grant of the manor of *Wilton* to

¹ Col. 1142.

² *Benedict*, p. 96.

³ *Ib.* 202, & seq. *Hoveden*.

his son *Henry de Pusey*. *David ap Owen* and *Rese ap Griffith* princes of *North* and *South-Wales*, with others of the principal *Welsh* nobility, came to *Oxford*: and swore as well to keep the peace, as to bear true allegiance to the king; who gave to *David* his natural sister *Emma* in marriage with the territory of *Ellesmere*, and to *Rese* the country of *Merioneth*. The marches of *Scotland* and *Wales* being thus secured, nothing was wanting but to make a like provision for *Ireland*; the kings of which island had revolted upon the ill treatment they had received, and the losses they suffered continually by the depredations of the *English*. The king resolved to give that country to his youngest son *John*, who had lately acquired a right to the earldom of *Gloucester*, in consequence of a contract made with *William* the late earl; who having lost his only son, and not caring to have his inheritance divided among his daughters, had given *Isabel* the youngest, with the earldom and his whole estate, to this prince; upon condition, of *Henry's* making a grant of one hundred pounds a year rent in *England* to each of her elder sisters, *Mabel* married to *Amaury* count of *Evreux*, and *Amicia* wife of *Richard* earl of *Clare*. *John* was accordingly declared lord of *Ireland*: and received the fealty and homages of all the nobles, among whom the king distributed the lands of the revolted *Irish*. Thus he gave *Hugh de Lacey* all *Meath*², to be held of him and his son *John* by the service of an hundred knights, with the custody of the city of *Dublin*; and to *Miles Cogan* and *Robert Fitz Stephens* the kingdom of *Corke*, by the service of sixty knights; reserving however to himself and heirs the town of *Corke* and the *Danes* cantred adjoining. He made a like exception of the city of *Limerick*, and the cantred about it, in the grant which he made of that kingdom to *Herbert* and *William*, brothers of *Reginald* late earl of *Cornwall*, and *Jocelin de Pomeray* their nephew, and upon their declining to accept it, to *Philip de Brause*, to be held by the same service. The custody of *Waterford* was entrusted to *Robert Poer*; as that of *Wexford* was to *William Fitz Aldhelm*, the king's seneschal; and the revenue of certain territories was appropriated for those services, as well as for the guard of *Dublin*. *Hugh Kevelioc* earl of *Chester*, was likewise ordered to go over into *Ireland* to assist in subduing the country; where he might by his services make some return to the king's clemency, in pardoning his rebellion and restoring him to his estate. The legate *Vivian*³ had lately done some service to the *English* adventurers in that island, by granting them, in a synod at *Dublin*, license to seize the victuals (with the want whereof they were most pressed) laid up by the *Irish* in churches, as in a sanctuary not to be violated: and being now returned from thence, got a safe conduct from the king at *Winchester*⁴ on *June 3* to pass into *Scotland*; where he extorted great sums of money from the churches, and suspended *Christian* bishop of *Whitberne*, for not coming to a synod to be held at *Edinburgh*; this prelate maintaining that he was exempt from his jurisdiction, as being subject to the archbishop of *York*, who was legate in his own province, and had consecrated him bishop, according to the custom of his predecessors.

XXXVII. HENRY was now in readiness to oppose the measures of the king of *France*; who making use of his interest with Pope *Alexander*, threatened to have all *Normandie* put under an interdict, if the marriage of his daughter *Alice* with prince *Richard* was not compleated. *Louis* had made so ill an use of the marriage of his elder daughter *Margaret* to young *Henry*, which had enabled him to debauch not only his son-in-law, but the brothers of this prince from their duty to their father, that the king had no reason to be fond of any more alliances with a court,

Disputes with
France.

¹ *Ibid. Dicto*, col. 594. *Benedict.* p. 153.
expugn. l. ii. c. 17.

² *Ib.* 204, 206, 220. *Hoveden.*

³ *Hibern.*

⁴ *Benedict.* p. 211.

HENRY II. where designs were continually hatching to disturb the peace of his dominions. He had room to suspect something of that nature was now on foot; *Margaret* being lately gone thither without his leave, or so much as acquainting him with her journey: and had very good reason to complain of *Louis*, for not performing on his part the articles agreed on for the marriages. Young *Henry* was to have had with his wife all the *Vexin* from *Gisors* as far as *Pontoise*, and *Richard* was to have with *Alice* the city of *Bourges*, with all its dependencies: these were express stipulations in the marriage contracts, which *Louis* had not yet fulfilled. It was thought advisable, before any forces were carried abroad, to summon him to keep his word: and the king, by a proclamation on *June 2*, putting off the rendezvous of all his knights and military tenants till *July 1* at *Winchester*, sent the archbishop of *Reims*, with the bishops of *Winchester* and *Ely*, to the court of *France*², to demand the execution of the articles; and that *Margaret*, who was then so far advanced in her pregnancy, as to be near her time of delivery, might be sent back to *Normandy*. The bishop of *Ely* returning with an answer no way satisfactory, the king held on *July 1*, at *Winchester*, a great council; at which all his nobility, and *William* king of *Scotland*, by a particular mandate, assisted: and having settled all his affairs, went on *Saturday July 9* to *Stoke* near *Portsmouth*; where his fleet lay ready for the embarkation of his forces. He was detained there three days by contrary winds: and then receiving advice by a knight templar³, dispatched by *Richard Giffard* and other agents employed by him in *France*, that cardinal *Peter* elect of *Monte*, and legate in that country, had received orders from the Pope to put all his dominions on both sides the sea under an interdict, unless he consented to the marriage of *Richard* and *Alice*, he returned to *Winchester* to consult with some of his bishops and counsellors on that occasion. The resolution taken was, that the archbishop of *Canterbury*, and his suffragans there present, should appeal to the Pope against the legate, on account of a suspected grievance; which was done forthwith: and a messenger was sent to the archbishop of *York*, with directions to make the like appeal in his province.

THIS advice should naturally have hastened the king's expedition: but he⁴ was unluckily detained by a fore leg (occasioned by a kick he had received from *Tosles de S. Omer's* horse three years before, in his march into *Suffolk*, against *Hugh Bigot*) till *Wednesday Aug. 17*⁵; when he embarked at *Portsmouth*, with his son *Geffrey*, and landed the next day in *Normandie*. *Geffrey*⁶ went from thence into *Bretagne* against *Guimar de Leon*, and *Jernegan de Rocca*; who had raised some disturbances in the province, but now readily submitted: and the king going to *Reims* had a visit from the legate *Peter*; who declaring the orders he had received from *Rome*, procured an interview between him and the king of *France* on *Sept. 21*, at *Château S. Remi* near *Nonancourt*, or, as others say, near *Ivry*, which *Walleran d'Ivry* had lately yielded to *Henry* with all its territory. In this conference *Henry*⁷ offered, that *Richard* should marry *Alice*, if *Louis* would give him *Bourges*, and to his eldest son the country between *Gisors* and *Pontoise*, according to the articles of the marriage contracts: but *Louis* refusing to do so, there was no reconciling of the difference, nor yet any pretence left for the legate to issue out an interdict against *Henry's* dominions. This prelate however had the address to engage both the kings in a new croisade, and for that purpose, to oblige themselves by articles to a mutual assistance, and to suspend all discord and demands with regard to what each of them actually possessed, except as to *Auvergne*, *Chateauroux*, and the small fiefs and bounds of lands in *Berry*; which, if they could not agree about them between themselves,

¹ *Benedict.* p. 214.² *Ib.* 226.³ *Ib.* 230, 231, 232.⁴ *Hoveden.* p. 539.⁵ *Benedict.* p. 242.⁶ *Rob. de Monte.*⁷ *Ibid.*⁸ *Hoveden.* *Benedict.* p. 245.

were to be referred to three bishops and as many barons, named on either part to HENRY II. examine into the truth of the case by the oaths of the people of the country, and empowered to make a final decision. A. D. 1177.

HENRY, at his return from this conference to *Vernueil*, made in ¹ a council of many bishops and barons of all his dominions, a very equitable ordinance in favour of vassals; “exempting their goods from being seized or distrained for the debts of their lord, unless they were sureties for such debts, and ordering their rents to be paid, not to the lord, but to his creditors.” This was drawn up in the form of a charter: and being sealed with the king’s seal, was published and dispersed, in order to be universally observed in *England* as well as in all his foreign dominions. Henry had sent his eldest son into *Berry*, and ² and *Richard* into *Guienne*, to suppress some rebels in those parts: and hearing that the former had made but a slow progress in that work, levied an army in *Normandie*, and marched himself at its head into that province, where he soon reduced *Chateauroux*. From thence he advanced to *la Chastre*, intending to besiege it: but the lord of the place, who had carried off the daughter of *Ralf de Deols* and detained her in his custody, prevented it by waiting upon him at *Chinon* ³ and delivering up the young heiress, with her lands of inheritance, said to be worth as much as the revenue of *Normandie*. Marching on to the *Limousin*, he punished the barons of that country for their late insurrection: and coming after *Martinmas* to meet the king of *France* at *Greiffac* in *Auvergne*, had the satisfaction to find an assembly of the counts and barons of the province, convened in their presence, declaring that all *Auvergne* belonged by antient right to the dominion of the dukes of *Guienne*, except the bishoprick of *Clermont*, of which, they said, the king of *France* was patron. *Louis* not agreeing to this verdict, they named each six referees to determine the point of right according to the articles abovementioned. Henry had nothing more to do in these parts, but to receive the strong castle of *Turenne* from the viscount of that territory, and the homages, fealties, and allegiance of all the barons and knights ⁴ of *Audebert* count of *la Marche*, who intending to go to the *Holy land*, upon the loss of his only son, had sold his county to him for fifteen thousand pound ⁵ *Angevin* money.

THE king’s affairs were now in so flourishing a condition, that he might ⁶ reasonably expect a quiet of some years continuance: and returning to *Angers* where he kept his *Christmas*, with his sons *Richard* and *Geffrey*, and an unusual concourse of nobility, spent the first three months of the year in establishing good order in that province. The same care employed his time after *Easter*, in *Normandie*; where he regulated the course of justice, and provided for the security of the frontiers, by charging prudent and trusty persons with the administration of the one and the defence of the other. To secure the peace of the country still more, he procured from the king of *France* letters of protection for it; declaring that prince’s readiness, during Henry’s absence, to assist his officers in its defence, whenever they applied to him for that purpose: letters usually granted in those times from one king to another, when engaged together in a *Croisade*. After these precautions he went to *England*; landing there on *Saturday July 15*: and on *Aug. 6.* knighted ⁷ his son *Geffrey* with great solemnity at *Wodestoke*; who immediately went abroad to distinguish himself

A. D. 1178.

¹ *Ibid.* 249.

² *Ib.* p. 250, 251.

³ *Rob. de Monte.*

⁴ *Benedict.* p. 252.

Uodden. Diceto, col. 590.

⁵ *Robert de Monte* computes this sum at six thousand marks of silver, a purchase certainly very cheap; since he quotes king *Henry* for saying it

was worth twenty thousand marks, and considering the importance thereof for the security of his other territories in the dutchy of *Guienne*.

⁶ *Rob. de Monte. Benedict.* p. 233, 234.

⁷ *Ib.* 265, 266. *Diceto,* col. 600.

HENRY II. by feats of armes in the turnaments, which were then frequently exhibited on the frontiers of *France* and *Normandie*.
A. D. 1178.

THIS step was the effect of an emulation of his brothers *Henry* and *Richard*, who were very adroit in such military exercises¹: and the former was so extremely fond of them, that about this time he passed three years together in nothing else but these amusements; laying aside the majesty of a king, to ingratiate himself with knights, and court the applause of the populace at a monstrous expence. The latter was employed much more honourably in putting a stop to the ravages of the ² *Brabantine* free-booters, composed of *Basques*, *Navarrois* and other mountaineers, dwelling along the *Pyrenees*, that infested *Guienne*, and supplied the little lords of castles and territories in that dutchy with troops on all occasions; when they were minded to make an insurrection, or commit depredations on their neighbours. *Richard*, not long after his father, passed over into *England*, marched into *Gascogne* with an army, in order to reduce the count of *Bigorre*, either to peace or obedience: and when he came to *Dax*, found the work in a manner done to his hands by the citizens of that place, who had surprized the count, and held him in custody. In this circumstance, his country would have been an easy conquest: but the king of *Aragon*, who claimed the superiority thereof, and looked upon the count as his vassal, waiting upon *Richard*, prevailed upon him to set that lord at liberty: who was obliged however to deliver up *Clermont* and the castle of *Montbrun* for his ransom.

A. D. 1179. RICHARD had still a more difficult enterprize to accomplish, before he could entirely quiet the province: it was the reducing of two turbulent and powerful barons, *Guy de Rancone*, lord of *Pons* in *Saintonge*, who had above two hundred and fifty fiefs under him, and the count of *Engoulesme*³. He made preparations for it soon after *Christmas*: and having assembled a great army at *Saintes*, marched to *Pons*; investing it in a season of the year, very unfavourable to such an undertaking. Having lain before the place till near *Easter*, he left a body of forces to block it up: and on *April 1*, besieged the castle of *Royamont*, which he took in three days and demolished. The castles of *Genjac*, *Martillac*, and several others underwent the same fate, and were levelled with the ground: nor⁴ did the strong fortrefs of *Taillebourg* fare better, though fortified with a triple ditch and three walls, all secured by frequent towers, strong bulwarks and other works, which had discouraged the dukes of *Guienne* from ever attempting a place, that passed in common repute for impregnable. It was now well supplied with provisions, and had a garrison of several thousand soldiers, too numerous to dread any attacks of an enemy: nor was their confidence lessened, when they saw *Richard*, after wasting the country and cutting up the vines about the place, come before it, and prepare to batter the walls with his military engines. Thinking it dishonourable for such a number of brave men to be cooped up within the walls of a fortrefs, they made, on *Tuesday May 1*, the third day of the siege, a general sally: but were received with so much resolution, that they were repulled; and *Richard* pursued them with such impetuosity, that he entered the town with the runaways, and being master of the place, demolished all its fortifications. This success was followed by the submission of *Guy de Rancone*, and the surrender of *Pons*, which was likewise levelled: nor did the count of *Engoulesme* long hold out; being forced soon after *Whitsontide* to give up his city, and the castle of *Montignac*. The walls of both these places were levelled: and *Richard* leaving all quiet within his government, went to make his father a visit in *England*. His brother *Geffrey*⁵ had left this country immediately after *Easter*, in order to quell an

¹ *Ibid.* col. 602. *M. Paris.*
 p. 916. *Benedict.* p. 274.

⁵ *Ib.* *Benedict.* p. 317.

² See *Concil. Latran.* an. 1179. can. 4. in *Baren. Annal.* t. xii.

³ *Ib.* p. 275.

⁴ *M. Paris. Dicto.* col. 603, 604. *Rob. de Monte.*

insurrection raised in *Bretagne* by *Guiomar* viscount *de Leon* and his sons: and the HENRY II. young prince fell upon them with so much vigour, that he took all their castles, and forced them to take shelter in forests; where they could only subsist by little clandestine depredations. This obliged them to submit, and give up all their lands, except two parishes, which old *Guiomar* was to retain till the *Christmas* following: when he engaged to go to the *Holy Land*, and eleven others: which young *Guiomar* upon the delivery of his brother *Hervé* for an hostage, was allowed for his maintenance.

XXXVIII. THE king was in the mean time taken up in *England*, with punishing the corruption, and correcting the extortion, of ¹ his sheriffs, bailiffs, foresters, and other officers; with redressing the grievances of his people, and regulating the administration of justice; for which no prince was ever more zealous, more careful to relieve the poor and oppressed, or more severe and impartial in the punishment of notorious and potent offenders. *Diceto* observes on this ² occasion, that the hunting of the deer in his forests was punished either with fines or imprisonment; treason with banishment; lesser enormities with amputation of limbs; and murder, rapes, and robberies with hanging: and that ³ *Cadwallon*, a *Welsh* prince, uncle to *David* prince of *North-Wales*, being killed on *Sept. 22*, in returning from his court, whither he had come under the security of a safe-conduct, he spared none concerned in that breach of publick faith, condemning all that were taken to the gibbet. New institutions are frequently found upon experience to be attended with some unforeseen inconveniencies: and this was the case in regard to the itinerant justices appointed a few years before at the council of *Northampton*, to make their circuits in the country, and save the people the trouble and expence of coming far from their homes for justice. They were all men of great quality and barons of the realm: they were too numerous, and either by the frequency of their visits, and the state which they affected in their progress, or the largeness of their ⁴ retinues, put the country to an insupportable expence. ⁵ The king, who looked out among all orders and professions of men, for such as were above corruption, and would administer justice impartially, without any private view whatever, thought to remedy this inconvenience by a measure which he took the foregoing year by the advice of his council; pitching upon two of the clergy, and three of the laity, all of his own household, to hear the complaints of all persons aggrieved throughout the realm, and to be constantly resident in his court for this purpose, so that in any case too difficult for them to decide, they might immediately have recourse to the king; who would determine it by the advice of his council. This method did not prove effectual: and ⁶ in a great council of the prelates and nobility held this year at *Windsor* (at which young *Henry*, who came over about midlent and staid till *Whitfontide*, assisted) he divided the realm into four parts, assigning in three of them five justiciaries to each, two of them clergymen, the three others lay-barons, and sending them into their respective districts to distribute justice among the people. The bishops of *Winchester*, *Ely*, and *Norwich*, were the chief justiciaries of those three parts, each presiding in his class: and the fourth part, consisting of the counties north of *Trent*, was put under the jurisdiction of the justices of the king's court. The judges of the three first classes gave the king an account of their administration on *Aug. 27* at *Westminster*: and the good effects of the presidency of the three bishops here mentioned, are much

¹ *Diceto*, col. 605. *Petr. Blefenf.* ep. 95.

² *Diceto*, col. 605. and 570. ³ *Powel's Hist. of Wales*, p. 238. *M. Paris.*

⁴ Even the archdeacons and other ecclesiastical visitors, in those days used to go with vast trains,

exceeding burdensome to the clergy, till the grievance was in some measure redressed by the twentieth canon of the council of *Lateran*, held this year.

⁵ *Benedict.* p. 266.

⁶ *Ib.* p. 316, 317.

⁷ *Diceto*, col. 606.

HENRY II. celebrated by *Diceto* and by *Richard* ¹ archbishop of *Canterbury*, in a letter to the Pope, to whom they had been accused of meddling in secular affairs and civil judicatures.

A. D. 1179.

POPE *Alexander* had, two years before, made up all differences with the emperor *Frederic*: and an end being put to the schism, which had lasted near twenty years, he resolved to hold a general synod about *Midlent* this year, in the church of *S. John de Lateran*, at *Rome*, for preventing the like calamity, and reforming some abuses in ecclesiastical matters. He sent legates ² all over Christendom to summon the prelates to it: *Albert de Suma* came with that character to *England*, as *Peter de S. Agatha* went for the same purpose to *Scotland*, *Galloway*, the *Isle of Man*, and *Ireland*; being obliged, as he passed through *England*, to take an oath, that he would do no prejudice to the king or kingdom in his legation. The ³ archbishops of *Dublin* and *Tuam*, with five or six *Irish* bishops, were deputed from the last of those countries: and took a like oath in their passage, as did also the *Scotch* prelates. The bishops of *England* were all summoned: but only those of *Durham*, *Norwich*, *Hereford*, and *Bath*, went to the council; it not being the custom of the church of *England* to send more than four to any *Roman* synod. It was opened on *Monday, March 5*, and broke up that day fortnight; having, in the three days of its session, made several canons; one particular to the see of *Rome*, declaring the suffrages of two thirds of the cardinals absolutely necessary to render a Pope's election canonical, and some others which were received and observed in this kingdom. Of this last sort were those, “that disqualified all persons under the age of thirty years
“from being promoted to a bishoprick; that annulled the ordinations of schismatics, with their grants and collations to benefices; that required livings not to be
“kept vacant above six months; that inhibited the clergy from taking upon them
“secular employments; that forbade pluralities, ordinations without a title, the trial
“of bishops and ecclesiasticks in secular courts, and the dangerous exercise of turnaments; such as received a mortal wound in these last not being allowed *Christian*
“burial.”

Henry reconciles Philip king of France to his mother and uncles.

XXXIX. THERE is another event of this year too remarkable to be passed by in silence, though it relates to a king of another country. *Louis VII* proposing to crown his son *Philip*, then fourteen years old, summoned all the nobility of *France* to meet on *August 15*, at *Reims*, for that purpose: but going to *Compeigne* ⁴, in his way thither, the young prince chanced to lose himself as he was hunting in the forest, and wandered about alone all the night; till meeting a charcoal man in the morning, he was conducted by him to his company. The gloomy horror of the forest, the solitude and fright he was in, and the fatigue he underwent by being all night on horseback, affected *Philip's* mind and body to such a degree, that he fell extremely ill, and there were little hopes of his recovery, till his father had made a vow to visit *Becket's* tomb at *Canterbury*. *Louis* sent to *Henry* for a safe conduct: and landing on *August 22*, at *Dover*, was received by him with all kinds of honour, and conducted the next day to *Canterbury*; where he paid his devotions to the reputed saint of the place, and passed a grant of an hundred *muids* of wine a year for ever, to the convent of *Christ-Church*. His stay in the place was short; for he left *England* on the twenty-sixth of the same month: and was extremely delighted at his arrival in *France*, to hear that his son was recovering. If this act of modish devotion was imagined to be of any use to the son ⁵, it seems to have been of little to the father, who, before he got to *S. Denis*, was seized with an apoplectic fit; which ended in a palsy, that took away the use of his right side, and hindered him

¹ *Petr. Blesens.* ep. 84.

² *Benedict.* p. 269, 270.

³ *Ib.* p. 288. *Hoveden.*

⁴ *Rob. de Monte.*

⁵ *P. Daniel's Hist. de France.*

from being present at *Philip's* coronation. This ceremony was¹ performed on the HENRY II. feast of *All saints* at *Reims*; young *Henry* in right of the dukedom of *Normandie*, A. D. 1179. carrying before him, from his chamber to the church, a golden crown, which he afterwards assisted to hold, when it was put on his head: and afterwards², at dinner serving the first dish upon the table, as seneschal of *France*; an hereditary charge belonging to the counts of *Anjou*.

A. D. 1180. *Louis* did not die till the eighteenth of *October* following: but as he was paralytic, *Philip*, from the time of his coronation, took upon him the government of the kingdom. The youth of this prince naturally threw him into the hands of others: and *Philip* count of *Flanders*, who had been his godfather, and is by *Brito* called his tutor, getting the ascendant over him, put him upon several acts very oppressive to the people of *France*, and injurious to all that had been in his father's confidence. *Adelais*³, the young king's mother, whose castles he seized, and her brothers *Theobald* count of *Blois* and *Chartres*, *Stephen* count of *Sancerre*, and *William* cardinal and archbishop of *Reims*, suffered more than any others, as being the more immediate objects of the tutor's jealousy; who wanted to engross all the power of the government to himself, and had even driven the queen out of the kingdom. This ill treatment⁴ engaged them to apply for assistance to the king of *England*, soon after *Christmas*; which he had kept at *Nottingham*, attended by the king, earls, and barons of *Scotland*, who sat in his court there with the *English* nobility: but *Henry* seemed unwilling to enter into their quarrel. They were more successful in their application to young *Henry*; who resided in *Normandie*: and this prince embarking zealously in their cause, went over to *England* about *Midlent*, and prevailed with his father to espouse their interests. Both these princes coming into *Normandie* a little before *Easter*, were there visited by the queen, the count of *Blois*, and others of the *French* nobility; whose remonstrances and assurances, confirmed by hostages, that they would always adhere to *Henry*, and follow his advice, made him resolve to raise an army to support their pretensions. The count of *Flanders*, seeing so strong a party formed against him, thought it necessary for the maintaining of his power, to unite *Philip* more closely to him by an alliance, that might serve for a counter-balance to the authority and influence of this young prince's mother and uncles. He had married *Isabel*, the daughter and heiress of *Raoul de Peronne*, count of *Vermandois*, but had no children by her: his sister *Margaret* had, by her husband, *Baldwin* count of *Hainault*, a daughter named *Isabel*, for whom he had a great affection. This niece of his, the count of *Flanders* proposed as a match for young *Philip*, offering to settle on her all the province of *Artois*; which with the county of *Vermandois*, that was, upon the death of his countess, to be reunited to the *domaine* of the crown, would be a very considerable enlargement of the *French* territories. *Philip*, contrary to the advice of all his friends, hearkened to the proposal: and going to *Bapaume*, his marriage with *Isabel* was there solemnized soon after *Easter* with great magnificence. The next step was to crown the new queen: and *Whitsunday* was at first fixed for the day, on which the prelates and nobility of *France* were to meet at *Sens*, to assist at the ceremony; but the count of *Flanders*, in his impatience to see his niece inaugurated in so solemn a manner into the possession of royalty, got the time to be hastened, and she was accordingly anointed (her husband being crowned again at the same time) at *S. Denis*, by *Guy* archbishop of *Sens*, in whose province that town lay, on *May 29*, being the feast of the *Ascension*.

This solemnity being over, *Philip* advanced with an army towards the frontiers of *Normandie*, to oppose the king of *England*: but neither of these princes being

¹ *Benedict.* p. 320. *Hoveden.*

² *Benedict.* p. 330.

³ *Diceto*, col. 610. *Rob. de Monte.*

⁴ *Benedict.* p. 323, 324, 325, 326. *Hoveden.*

HENRY II. fond of running the hazard of a battle, and the subject of their quarrel being much fitter for an amicable accommodation, than a bloody decision, they easily agreed on a conference at *Gisors*. It was the interest of the count of *Flanders* to oppose any accommodation, that would bring the queen mother back to court, and put her in a condition of supplanting him in his credit with her son: and *Henry* had need of all his experience, knowledge of the world, address, and arts of insinuation, to bring the young prince to a compliance. *Philip* however behaved himself on this occasion, so as to engage *Henry's* esteem for ever after: and took care to assert his own authority, when he consented to his mother's return. He agreed to allow her seven pounds, *Paris* money, a day for her subsistence as long as his father lived; and after his death, to put her in possession of all the rents of the lands assigned for her dower, but reserved to himself all the castles and fortresses erected thereon. In this conference, the count of *Flanders* did homage to the king of *England*, upon a renewal of some conventions formerly made between them; by which the latter granted a pension of a thousand pounds sterling a year to the former, in consideration of his keeping five hundred knights in readiness at his own expence to serve the king forty days, whenever he was summoned. The count of *Clermont* did the like homage to *Henry*¹: and the two kings confirmed all the articles of the peace, made between the two crowns three years before at *Gué S. Remi*. This was likewise renewed again soon after, upon the death of *Louis VII*: and they took each other's realms into their protection.

He reforms
the coin in
England, and
arms all his
subjects.

XL. HENRY's being abroad, did not hinder him from redressing a terrible grievance in *England*, arising from the adulteration of the coin²: the mint men were prosecuted on this account, and severely fined; and new money of a round form, of a just weight and alloy, being coined, the old was cried down by a proclamation, ordering it not to be taken in payments after *Martinmas*. *Ralf de Glanville* too, being³ at this time chief justiciary, published some of the *Confessor's* laws allowed by *William the Conqueror*; by which it appears, that the *Saxon* custom of *friburges* or *frank-pledges* still continued; and it was provided, "that the tenants of the church should be sued only in the ecclesiastical court; that breaches of the peace of the church should be cognizable before the bishops; that churches and parsonage houses might serve as sanctuaries for offenders; but in cases of rapine, they were obliged to make restitution or reparation, or abjure the country. It appears likewise that the crown had a power of pardoning capital crimes, as murder and treason, but whatever forfeiture accrued thence to others, was still to be made good to them, and the criminal to find sureties for his good behaviour, or else be banished the realm; that wives innocent of the crimes committed by their husbands, were not to lose their dower, nor children to be cut off from succeeding to a father's inheritance, for any crime of his perpetrated, after they were either born or begotten."

A. D. 1181. It was in his court at *Le Mans*, where he passed his *Christmas* holidays, that he issued a proclamation⁴, ordering all freeholders and burghesses, in his transmarine dominions, to provide themselves with armour. Such as had chattels to the value of an hundred pounds *Angevin*, were to have an horse with compleat suits, and others to be armed in proportion to their substance; agreeable to the assize of arms established in *England* upon his return thither. This arming of his subjects, which rendered them equally capable of defending their liberties, and of opposing an invader, seems to have been an effect of *Henry's* usual providence, who loved to take his precautions, even before any danger was near: and it put the people⁵ of

¹ Rymer, i. 50, 53. *M. Paris.* ² *Benedict.* p. 344. *Diceto*, col. 611. ³ *Hoveden*, p. 601, & seq. ⁴ *Hoveden.* *Benedict.* p. 553. ⁵ *Chron. Gervasi.* col. 1458.

England into a condition, they had never been in since the conquest. He was on good terms both with *France* and *Flanders*, and had no immediate apprehensions of an attack from the sovereigns of either of those countries, whatever the active genius of the former, might prepare him to expect in time: but they were either so alarmed by this regulation, or thought it so fit to be imitated, that they immediately established the same in their own countries. By the assize of arms as settled in *England*¹, “every person possessed of a knight’s fee, was to have a coat of mail, an helmet, a shield, and a lance, and as many of each of these, as he had fees. “Every free layman, that had in goods or rents to the value of sixteen marks, was “to have the same armes; and such as had ten marks, were to have a lesser coat of “mail, an iron cap, and a lance; the two last of which, with a *rambois* (*i. e.* a “coat quilted or studded with some material proper to resist the stroke of a weapon) “were assigned for the armes of burgessees, and all the freemen of burroughs. These “armes were all to be provided before the feast of *S. Hilary* next following; none “obliged to have them, could either sell, pawn, lend, or part with them out of his “custody; nor could a lord take them from his vassal, either by forfeiture, gift, “security, or in any other manner. When the possessor died, they descended to his “heir; and if this heir was a minor, his guardian was to have the custody of his “armes, as well as body; and till the heir came of age, he was to find a man to use “him in the king’s service. The itinerant justices were charged with the care of “the execution of this ordinance, and had a power as well of examining all persons “upon oath as to the value of their estate, as of obliging them to swear, that they “would be faithful to the king, and keep these armes for his service, and the defence “of the kingdom. No man was to keep more armes than he ought by this assize; “nor were any to be sold or carried out of the realm; this last prohibition extend- “ing likewise to ships and timber.”

HENRY II.
A. D. 1181.

XLI. HENRY had taken leave of the king² of *France*, in a conference, on April 27, at *Gué S. Remi*, in order to set out for *Ireland*: and was ready to embark at *Barfleur*, when he was sent for by that prince to make up matters between him and the count of *Flanders*; who nettled at being supplanted in his lord’s favour by the queen mother, had picked a quarrel with the count of *Clermont en Beauvoisis*, and besieged one of his castles. The king, upon this message, ordering his household to proceed to *England*, repaired to the king of *France*: and having got them to meet at *Gisors*, and reconciled them for a time, embarked at *Cherbourg*, landing, on July 26, at *Portsmouth*. Soon after his arrival in *England*, he held a great council at *Nottingham*, at which *William* king of *Scotland*, with his earls and barons assisted; and another, on Sunday, September 5, at *Evesham*. In the first³ of these, *Richard* archbishop of *Canterbury* had his cross carried erect before him, though in the province of *York*: and went from thence to visit the diocese of *Lincoln*; to which *Geffrey*, the king’s natural son, had been elected nine years before, but had still deferred his consecration, and now resigned his see into the hands of *Richard*⁴. This was done by his father’s advice, who imagined he might be more useful to him in the post of chancellor; which he now gave him, with castles and lands to the value of five hundred marks a year in his foreign dominions, and as much in *England*. *Roger* archbishop of *York* was at this time in a declining way⁵: and died a little after sun-set on Saturday, November 21; leaving behind him eleven thousand marks of silver, three hundred of gold, and a large quantity of plate, both gold and silver. He had disposed of some part of his wealth during the sickness of which he died; contrary to his own doctrine, that no ecclesiastick could make any devise

He reconciles
the king of
France and
count of
Flanders.

¹ *Benedict.* p. 365. ² *Ib.* p. 362, 363. *Hoveden.* ³ *Benedict.* p. 368. ⁴ *Ib.* p. 354,
356. *Angl. Sacr.* t. ii. p. 380. *Trivet.* ⁵ *M. Paris.* *Benedict.* p. 371, 372. *Hoveden.*

HENRY II. in such a circumstance: in consequence of which notion, he had got a bull from Pope *Alexander*, granting him the effects of all the clergy in his province, that did not give them away with their own hands, but pretended to dispose of them by will, when they were dying. The king seized all his treasures as the goods of an intestate ecclesiastick; treating him with the same law and measure, that he had used in the case of others. This prelate had been for many years the Pope's legate in *Scotland*: and had a little before his death, excommunicated the king of that country, and laid an interdict on the kingdom¹. What gave occasion to these censures, was a contest about the election of a prelate to fill the see of *S. Andrew's*; the convent having chosen *John Scot*, in contempt of king *William's* recommendation of *Hugh*, one of his favourite chaplains. The king, incensed at this affront, swore that *Scot* should never enjoy that dignity: and ordered the canons to proceed to a new election; which was so managed by *Jocelin* bishop of *Glasgow*, that *Hugh* was returned as chosen by the intimidated electors, and notwithstanding *John's* appeal to *Rome*, was consecrated by the *Scotch* bishops. The Pope dispatched *Alexius*, a *Roman* subdeacon, into *Scotland* with legatine powers to determine the dispute: who confirmed the first election, excommunicated *Jocelin* and the other clergy that had assisted at the second; and convening a synod at *Holy-rood* house, caused *John* to be consecrated bishop of *St. Andrew's*. *Hugh*, continuing to act as bishop, was likewise excommunicated: and the king seizing the revenues of the see, ordered *Scot*, who had passed the same censure on *Richard de Moreville*, constable of *Scotland*, and others of his ministers, to quit the kingdom. The Pope hereupon sent orders to the archbishop of *York* and the bishop of *Durham* to excommunicate the king, and put the realm under an interdict. These censures being accordingly issued, and that of suspension denounced against the prior of *S. Andrew's*, and all the parochial clergy of the diocese that did not adhere to *John*; *William* banished such as submitted to this prelate, with all their relations, not excepting even little children; a proceeding so exactly agreeable to that of the king of *England's* in *Becket's* case, that it looks as if it was a common legal provision in both kingdoms to guard against papal encroachments. *Alexander* applied to *Henry* for his interposition to bring the king of *Scotland* to a compliance: and *William*² being sent for to *Normandie*, it was agreed between the two kings, with *John's* consent, that this last should resign *S. Andrew's*, and by way of recompence should be put into some other see, and be made chancellor of *Scotland*. Pope *Alexander* rejected this accommodation: but dying this year, on *September 20*, his successor, *Lucius III*, took off all the censures abovementioned, and allowed *John* to take the bishoprick of *Dunkeld*, then fallen vacant.

THE peace made by the king of *England's* mediation between the count of *Flanders* and the king of *France*, proved of no long continuance³; by reason of the discontents, which possessed the uncles of the last of these princes, conceiving themselves slighted, because they had not the management of their nephew. *Stephen* count of *Sancerre* seized an estate that lay convenient for him, and kept possession thereof in contempt of the king's orders: but fearing his resentment, applied⁴ to the count of *Flanders* for aid, and did him homage for the castle of *S. Brice*, to have a colour for his protection. *Philip Auguste* seizing the land into his own hand, expelled his uncle; and the count of *Flanders* insisting on its being restored to himself and *Stephen*, fell, when this was denied, with a body of troops into the territories of the count of *Clermont*, by whose advice his demand had been rejected; wasted them and all the neighbourhood of *Senlis* with fire and sword; and drew several of the most considerable of the *French* nobility into his party.

¹ *Novæden. Benedi* 2. p. 345, & seq.

⁴ *Idem*, col. 612.

² *Ib.* p. 362, 375, 379.

³ *Ib.* p. 372, 373.

But young *Henry* raising an army¹ in *Normandie*, and marching to the assistance of *Henry II.* his brother-in-law; the count of *Flanders* retired with his forces. The quarrel *A. D. 1181.* however still subsisted, and this last prince solicited the emperor *Frederic* to invade *France*: but the king of *England*, too just and honourable to return upon the son the treatment he had received from his father *Louis VII.*, and to encourage disturbances in the realms of his neighbours, whatever reason he had to be jealous of their power, resolved to use his good offices for making it up, and adjusting all their differences.

WITH this view he proposed to go over into *Normandie* soon after *Christmas*: *A. D. 1182.* but was detained a good while upon the sea-coast by contrary winds²; a delay which removed some of the difficulties in the way of a peace, by the deaths of the two countesses of *Guedres* and *Flanders*. The former of these, was the niece and next heir of the count of *Flanders*, being the eldest daughter of his brother *Matthew* count of *Boulogne*: the latter was the daughter of *Ralf de Perone* count of *Vermandois*; and both of them averse to any accommodation.

HENRY, considering his own mortality³, made, at this time, a will, bequeathing four sums, each of five thousand marks, to the knights hospitallers, templars, convents, and hospitals of the *Holy Land*, and for the defence of that country, besides many other considerable legacies to religious houses in all his dominions: and keeping one copy of it in his own hands, ordered two other authentick instruments thereof to be laid up, one in his treasury at *Winchester*; the other in the church of *Canterbury*. The *Christians* in *Palestine* were now extremely distressed by the arms of the famous *Saladine*: and the Pope⁴ called upon all the world for assistance; promising large indulgences to such as went thither, with absolution of all sins confessed with a contrite heart, except in cases where restitution was necessary, and allowing them without the consent of their heirs or lords to mortgage their lands for the expences of the expedition. His letter on the subject, delivered to the kings of *France* and *England* in their conference at *Gué S. Remi*⁵, had engaged them both to promise succours to the *Holy Land*: and *Henry* now made good his word by sending to its relief five hundred marks of gold, and forty-two thousand of silver.

MIDLENT was passed before he got a favourable wind to waft him over from *Portsmouth* to *Barfleur*; and having⁶ procured an interview after *Easter*, between the king of *France* and the count of *Flanders*, brought them to an agreement; by which the land in dispute was to remain in the hands of the original possessor, and the count engaging to make satisfaction for the damages his troops had done in the country, quitted all claim to the service of the count of *Clermont*. The king of *France* claimed all the county of *Vermandois*, as escheated to his crown, by the death of the late countess, and all the country as far as the *Lys*, in virtue of the articles of his marriage with the count's niece: and *Amiens* with all the other towns were yielded to him, except *Peronne* and *S. Quintin*, which the count retained till he was paid the sum of sixty thousand pounds, which he pretended to be due to him; declaring however that he held them only as a security for the money.

XII. WHILE the king was in *Normandie*⁷, *Henry* duke of *Saxony* (who had married his daughter *Maude*) came to him with his wife and children, and abundance of his counts and barons; being driven out of his dominions in *Germany* by the emperor *Frederic*. The duke had seized some lands in his own territories belonging to the church of *Cologne*, and refused to restore them upon the emperor's order: nor would he stand to the judgment of the imperial court, to which the archbishop

Exile of
Henry duke
of *Saxony*:
and the death
of the young
king *Henry*.

¹ *Dicto. Trieti Annal.* ² *Benedict. p. 373. Hoveden.* ³ *Rymer, p. 57.* ⁴ *Benedict.*
p. 356. Hoveden. ⁵ *M. Paris.* ⁶ *Benedict. i. 374. Hoveden.* ⁷ *Ib. M. Paris. Benedict.*
p. 329, 376.

HENRY II. had applied for relief. His pretence for this refusal was, that he could not expect justice from *Frederic*; because he had offended him by not swearing fealty to his son, whom he had caused to be crowned, without the general consent of the princes of the empire: and would not therefore come to his court, without a safe conduct, which was denied. This pretence was a new affront to the emperor, who charged him with breach of duty, in not sending his quota of troops, which occasioned the loss of *Lombardie*; with going to *Constantinople*, and treating with the *Greek* emperor *Manuel*, to the prejudice of the *German* empire, and with several other treasonable matters¹. *Gervase* and others say, that this duke was proud, covetous, rapacious: and keeping no faith with any body, was universally hated. The imperial chamber having, either upon his not appearing to answer to the charge², or his not daring to purge himself by duel, condemned him as guilty, and declared all his territories forfeited; *Frederic* had put the decree in execution; given his dominions to another; and driven him out of *Germany*, after obliging him to take an oath, not to return thither in the space of seven years, without leave from the emperor. *Henry* interceded himself with the emperor, and got the king of *France* and the count of *Flanders* to do the same, in behalf of the duke: and with such a measure of success, that *Frederic* allowed all his vassals, that attended him to return home, and took off four years from the time of his exile; and in the mean while granted the dutchess the full enjoyment of her jointure. The king hereupon dismissed the nobility, that had followed their lord's fortune, with large presents: and during the three years that³ the duke and dutchess stayed with him, supported them in a very honourable manner, and at a vast expence, allowing them three hundred and fifty pounds *Angevin* a day for their maintenance.

THE distress of his daughter and her husband did not affect the king of *England* so much, as the refractoriness of his eldest son; who always⁴ running himself into difficulties by his extravagance, was never easy: and now retired, with his wife *Margaret*, to the court of *France*, to plot all the mischief he possibly could against his father. From thence⁵ he sent his demands to the king, insisting on an immediate cession of *Normandie* (the disposition whereof he enjoyed already, but he wanted to have it in property) or some other part of his dominions, that might serve him for a residence, and enable him to support the knights in his service; with whom he used to amuse himself in tournaments, and by whose advice he acted in all his undutiful measures. *Henry* rejecting his demands, he pretended to go to *Jerusalem*; in hopes probably that his father, out of the excess of his paternal affection, would grant him all he asked, to divert him from that resolution. This fetch not succeeding, he agreed at last to take for himself an hundred pounds *Angevin*, and for his wife ten pounds a day for their expence; and the king promised further to pay a year's appointments to an hundred knights of his household. Young *Henry*, satisfied with this allowance, protested he would never ask any more of him: and returning to him, took a voluntary oath, that he would always, to the end of his life, submit to his will and pleasure.

A. D. 1183. THE king, ever intent upon providing against futurity, and knowing the uncertainty of the young prince's temper, resolved to seize the opportunity, which his good-humour offered, to unite him more closely to his brothers (whose fate would one day depend in a good measure upon him) by a bond, which would put them all under the strongest obligations of duty and honour, to exercise a mutual affection. With this view, when, after keeping *Christmas* with his three eldest sons at *Caen*, he went from thence to *Angers*, where they all swore to maintain a perpetual amity with one another⁶, he caused *Geffrey*, who, upon his late marriage with

¹ Col. 1465. ² *Ib.* 402. *Hoveden.* ³ *Rob. de Monte.* ⁴ *Hoveden.* *Benedict.* p. 378, 380, 385. ⁵ *Diceto*, col. 612. ⁶ *Benedict. Abb.* p. 382, & seq. *Hoveden.* *Neubrig.* l. iii. c. 7.

Constance, had got full possession of *Bretagne*, to do homage to his eldest brother for that dutchy. But when he proposed to his second son to do the same for *Guienne*, *Richard* refused it at first; as being equal to his brother in birth, and as having the same right to his mother's succession, as his elder brother had to their father's: the king's remonstrances however prevailed with him at last to consent to the proposal; and then young *Henry* would not receive his homage. This provoking *Richard*, a young prince of an high spirit, who had, just before, shewn his complaisance to him, in giving up the castle of *Chairvaux* in *Anjou*, some sharp words passed between them: and *Richard* went away in great wrath to *Guienne*, where he fortified his castles, and prepared to defend himself against his enemies. He had kept a strict hand over the nobility of that province; and they complained of his debauching their wives and daughters; though perhaps his repressing the disorders, which they used to commit formerly with impunity, was what gave them the greatest offence. Whatever were their motives, they entered secretly into engagements with young *Henry*, whom they imagined more tractable, and knew to be more bountiful than his brother, to bear true allegiance to him as their liege lord by hereditary right, as long as they lived, and to put him in possession of their castles. *Geffrey* joined with them in the design of driving *Richard* out of *Guienne*: and when young *Henry* entered that province on one side, and, by the help of the barons, made himself master of *Limoges*, he went to *Bretagne*, raised an army of his subjects; and with these, and a body of *Brabantins*, which he took into his pay, fell upon it in another quarter; burning and plundering all before him, not sparing even churches and religious places. *Richard*, weakened by the revolt of the barons, and unable to resist both his brothers, sent to his father for aid; who fearing that he would lose all his dutchy, and that if he were taken, he would not get out of his brother's hands alive¹, raised a great army: and having secured the earls of *Chester* and *Leicester*, to prevent their raising any commotion in *Normandie* during his absence, marched to *Limoges*.

HENRY II:
A. D. 1183.

THE king was received into the city, but not into the castle; which had been delivered by the viscount of *Limoges* to young *Henry*: who, not able to oppose his father by open force, had recourse to dissimulation and treachery; acting a part more agreeable to the character and disposition of *Geffrey*, with whom he was in a perfect intelligence. They pretended to reconcile the barons of *Guienne* to *Richard*: and under that colour had frequent conferences with them, to strengthen their confederacy, and concert their measures; the king staying in the mean time at *Limoges*, with only a small train about him, in perfect security, and so little apprehensive of his sons, that he had sent away the best part of his forces. In this condition, his life² was much exposed, he being shot at from the castle; one of his knights wounded by his side; and his horse's head shot through with an arrow; which would have pierced his own breast, if the horse had not chanced to toss up his head; and this in the presence of those two sons, who made very slight of the matter. This putting the king more upon his guard, put it also out of their power to execute any of their designs; besides that of plundering monasteries to pay the *Brabantins*; whilst they amused him with treaties of peace, and assurances of the barons readiness to submit and deliver hostages. Young *Henry*, in the mean time, under pretence of an old vow, took upon him the cross: and would needs go to the *Holy Land*. The king did all he could to dissuade him from that resolution: but finding him determined, told him that his equipage and attendants should equal, if not surpass, those of any prince in christendom, that ever went on the like expedition. Mortified at repeated disappointments, and vexed to see all the measures, which his malice suggested against his father, baffled, he fell sick at *Martel*, a

¹ *Benedict.* p. 385.

² *Chron. Gervaf.* col. 1462.

HENRY II. castle in the *Vicomté* of *Turenne*, of a fever, attended with a looseness; which
 A. D. 1183. reducing him very low, he sent to his father, desiring to speak with him before he died. The king durst not go himself for fear of some treacherous design: but sent in his stead a bishop; who found him past hopes of recovery, and received his dying request; that his father would forgive all his offences and malevolence towards him; that he would pay his knights and attendants their wages; and deal mercifully with the barons of *Guienne*. The king readily promised all he desired, and sent a messenger to tell him so: but before his arrival, young *Henry* died on *Saturday, June 11*; and his corpse being embalmed, was buried first at *Le Mans*, but afterwards removed to the cathedral of *Rouen*, the place where he had desired to be interred.

WHEN the king first heard of his son's death, he could scarce believe it: but when he found it too true, he fainted away thrice, and burst out into such excessive lamentations for the most unnatural of sons, as would scarce have been excusable in the case of the most deserving. But his passions were strong as well as tender: and the first motions of nature are irresistible, till a little time allows reason an opportunity of interposing its good offices for the relief of the afflicted. The young prince is said to have repented heartily of his undutiful conduct: but considering the weakness of his mind, the vanity of his heart, the inconstancy of his temper, and the little influence, which the strongest ties of religion, as well as of nature, had upon him, there is too much reason to apprehend, that, if he had recovered, he would have relapsed into his former measures. Some¹ people designing either to gloss over the iniquity of his cause, or to gain credit to the sincerity of his repentance, gave out, with an impudence and talent of lying very common in that credulous age, that the sick were cured, and miracles wrought at his grave: and such idle reports were industriously propagated. Providence took him off in the height of his crimes²: and by that means prevented an infinite deal of bloodshed; the prince having resolved to come to a general engagement on the *Monday* following, and to have used his sword in the open field, to slay a father, whose greatest failing was an excess of fondness for him, and his other children. His death put an end to all thoughts of a battle: and his troops were so struck with it, that they immediately dispersed, and were warmly pursued by prince *Richard*. The king's affairs were entirely re-established by it, and his known clemency soon put an end to the insurrection: the castle of *Limoges* was taken; and all the nobles of *Guienne* readily submitted, delivering up their fortresses; some of which, having been entrusted to *Richard* before the war, he now kept in his own hands; and the rest he demolished so, as not to leave one stone upon another. The whole province was quieted, without the assistance of the king of *Arragon*, who had marched with an army to his succour: but there being no occasion for his service, he returned with great acknowledgments of so seasonable an act of friendship, and with magnificent presents to himself and his forces. Young *Henry*³ had a son born at *Paris*, on *June 19, A. D. 1177*, and named *William*: but the child not living above three days, this restless prince now died, without leaving any issue; and his wife *Margaret*, who survived him, was, in a few years, remarried to *Bela* king of *Hungary*.

Disputes with
France.

XLIII. THE prince had engaged very deliberately in this last rebellion, and had taken care before it broke out, to send her to her brother, that in all events she might still be in a place of safety: this princess now proved the occasion of a dispute with *France*; which, though compromised for a time, served on future occasions for a pretence to a quarrel. The king had scarce got back to *Normandie*, when her brother *Philip* demanded her jointure, and *Gisors* with all its depen-

¹ *Neubr.* l. iii. c. 7.

² *Benedict.* p. 394, 395.

³ *Ik.* p. 226.

dencies', which had been given with her in marriage. To elude the first part of HENRY II. this demand, *Henry* alledged, that his son's settlement was invalid, as assigning lands A. D. 1184. which had before been settled in jointure upon queen *Eleanor*, whom he allowed to come out of confinement to take possession thereof; offering to stand to the judgment of the king of *France's* court upon that subject. *Gisors* he claimed as his own right, and an appendage to the dutchy of *Normandie*; maintaining likewise, that if *Louis VII* had ever any title to it, he had for himself and his heirs given it up to him for ever, at the time of *Margaret's* marriage. It is very certain that *Louis* had never performed on his part all the articles of that marriage, and his son could with the worse grace insist on their being fulfilled on the part of *England*: so that this affair was drawn out into a length of negotiation; *Henry*, in the mean time, receiving the submission, fealty, and homage of his son *Geoffrey*; who gave up several of his castles in *Bretagne* for an assurance of his good behaviour. At last, in a conference held near *Gisors*, on *December 6*, between the two kings, attended by the nobility of both realms, it was agreed, that the widow relinquishing all claim to her dower, should receive from the king of *England* two thousand seven hundred pounds *Angevin* a year, to be paid at *Paris* as long as she lived: and both she and *Philip* quitted *Gisors* to *Henry*; obliging him however, to give it to which of his sons he thought fit should marry their sister *Adelais*, who had been long designed for *Richard*, and kept at *Winchester*.

HENRY having thus made up matters with the king of *France*, had occasion soon after to be a mediator between him and the count of *Flanders*; whose marrying *Beatrice*, a daughter of *Alfonso*, king of *Portugal*, contrary to *Philip's* inclinations², had revived the dispute about the *Vermandois*; which he was required to give up, before he consummated the marriage. The count had not complied with that demand, and a war was going to ensue: but the king of *England* procuring a conference between them at *Choisy*, proposed a truce to the end of the year; which was agreed to by both parties, and afterwards renewed to the *Midsummer* following. The king had now been two years and an half absent from *England*; and some affairs calling him thither, he passed through *Picardie*, being honourably received by the count of *Flanders*, and convoyed through his country to *Witsand*; where he embarked, and on *Sunday* morning, *June 10*, landed at *Dover*. Upon the news of his arrival, *William* king of *Scotland*, with *Hugh* bishop of *St. Andrews*, and many of his prelates and nobility, waited upon him, to propose a marriage between himself and *Maude*, daughter of the dutchess of *Saxony*: but though the proposal was accepted, the marriage did not take effect, for want of a papal dispensation; they being related within the prohibited degrees of consanguinity. *Rose ap Griffith*, came also to his court at *Worcester*, to excuse the killing of *Ralf Poer*, in revenge of some injuries done to the *Welsh*, and to make his submission; renewing on this occasion his oath of fealty; restoring the castles taken during the king's absence; and promising to send his son and nephews for hostages.

XLIV. THE king, out of his great affection to his children³, was desirous to provide principalities for them all: and *Richard* being now become his eldest son, Henry proposes to marry his son Richard to the emperor's daughter, and to give Guienne to his son John. and the heir of all his dominions, he had a mind that his youngest son *John* should have that province, which he had granted the other, whilst a younger brother. With this view, he had, a little before the last *Michaelmas*, sent for *John* and his tutor *Ralf de Glanville* over into *Normandie*: and upon their arrival, sending for *Richard* from *Guienne*, desired him to make a cession of that dutchy to his brother, and receive his homage. *Richard* had been long used to exercise a sovereign authority in that province, and did not care to part with his power: he desired a day

¹ *Renedict.* p. 396, & seq.² *Ib.* p. 405, 407, 408, 433.³ *Ib.* p. 397, 401.

HENRY II.
A. D. 1184.

or two to consult his friends, before he gave an answer; and made use of that interval to retire from court, and get back to *Guienne*. Being there at liberty, he wrote his father word, that he would not part with *Guienne* to any body: an answer which much displeased *Henry*, but produced no further consequences, whilst he continued abroad. After he was gone for *England*, *Geffrey* and *John* invaded *Guienne*, wasting the country; and *Richard* in revenge made excursions into *Bretagne*: but a stop was put to those hostilities, by their father's sending for them all into *England*; where they were made friends, and submitted to his determination.

THE king was equally successful in making up his son-in-law the duke of *Saxony*'s quarrel with the emperor, after having reconciled him to the archbishop of *Cologne*; whose injuries had been the first occasion of the duke's prosecution. This prelate coming this year into *England*, on a pilgrimage to *Becket's* tomb¹, and with a commission to agree on a marriage between prince *Richard*, and a daughter of the emperor (which was actually settled, but prevented by the princess's death) *Henry* engaged him not only to remit all his animosity against the duke, but to be likewise his advocate with *Frederic*. He engaged too, in his son-in-law's behalf, an intercessor still more powerful; whom he had a lucky opportunity of obliging. The *Romans* had applied to Pope *Lucius* with an humble request, that he would ease them of some heavy duties laid upon them by his predecessors; and had been refused. This put them into such a rage, that they made an insurrection; drove him out of *Rome*: and persecuted him from place to place, wherever he attempted to seek a retreat. The Pope applied to the princes and churches of *Europe* for succour in his distress², and among others to the king and prelates of *England*; who did not think it advisable to let him make a collection in this kingdom by his nuncios, for fear it should create a precedent, and prove of infinite detriment to the nation by becoming customary. To avoid this danger, the bishops intreated the king to supply the Pope with a sum of money for himself and them; engaging to reimburse it, whenever he pleased: and *Henry* doing so, found *Lucius* very ready to use his good offices with the emperor, in a conference he had with him at *Verona*. The effect of these appeared in *Frederic's* recalling the duke of *Saxony*, and restoring him to a great part of his territories; the possession whereof was delivered to him the year following.

ONE of the most urgent affairs³, which brought the king over to *England* was, the filling up of the vacancy in the see of *Canterbury*, occasioned by archbishop *Richard's* death, on *Friday, February 16*. The election of a new primate was a matter of great importance, and attended with some difficulties. The king, soon after his arrival, sent *Ralf de Glanville*, his chief justiciary, with some bishops, to *Canterbury*, to prepare the convent for an election: and the monks, meeting in chapter, had pitched upon the abbot of *Battel*, formerly their prior, naming likewise four others, for the king to choose one of the number. None of these were acceptable: and the affair slept till the council held on *August 4*, at *Reading*; when the monks being summoned, sent *Alan*, the prior, with some others of the convent to propose the persons they had nominated. These being rejected, another council was held⁴ on *October 23*; when the delegates of the convent attending, a dispute arose between them and the suffragan bishops of the province, which had the right of voting first in the election; the monks pretending to the privilege, and producing a royal charter confirming it; the bishops denying the authority of that charter, as a grant against common right, and derogatory to the rights of the church of *England*: and maintaining that the suffragans of the province ought to have the choice of their metropolitan. Nothing being done at this meeting, the bishops and monks were

¹ *Benedict.* p. 413, 417. *Hoveden.* ² *Ib.* p. 404, 417, 432. ³ *Chron. Girvaf.* col. 1466, & seq.

⁴ *Diceto*, col. 619. *Hoveden.* *Benedict.* p. 411, 414, 415.

summoned to *London*, on *November 30*: and on *December 2*, the bishop of *London* HENRY II. A. D. 1184. proposing *Baldwin* bishop of *Worcester*, all the prelates concurred in his election, and the monks went away without giving their assent. The bishops presenting their elect to the king, *Baldwin* was approved: but *Henry* was forced to go himself to *Canterbury*, to persuade the monks to acquiesce; which they consented to, upon being allowed the formality of an election. Their delegates accordingly meeting, on *December 16*, the third *Sunday* in *Advent*, in the chapter-house of *Westminster*, chose *Baldwin*: and that they might not seem to approve any thing done before, sang *Te Deum* immediately, led him to the altar, saluted him on the cheek, and presented him to the king and his sons; who repeated to him the same ceremony of a kiss, which they had given him upon the bishops election.

XLV. THE king, deviating from the custom of his predecessors, and following the lenity of his own disposition¹, had hitherto used little rigour in punishing transgressions of the forest: but his clemency being abused, he now found it necessary, upon the death of *Thomas Fitz Bernard*, who had succeeded *Alan de Neville* in the post of chief justiciary of the forests, to put these under some new regulations. Thus dividing the realm into four parts, he assigned to each four justices, two clergymen, and two knights, and appointed likewise in each two gentlemen of his household, as verderors to take care of the vert and venison, and have authority over all his foresters, and those of his knights and barons. “ These were all sworn to observe the assize of the forest now established; by which the king cautioned all persons, from incurring any forfeiture on account of his venison and forests, in confidence of that impunity, which they had hitherto enjoyed; for though he had not yet levied any forfeiture of chattels, transgressors should for the future be punished according to the laws of his grandfather *Henry*, which subjected such offenders to the loss of their eyes and testicles. None were allowed without a warrant, to have any bows, dogs, or greyhounds within the king’s forests, or to make any waste or destruction of their woods, that lay within the precincts thereof; the king however allowed his earls, barons, and free tenants, to cut in their woods what was necessary for their use, provided it was done without waste, and by the view of his foresters. These were ordered also to have an eye on the foresters of knights and others, who had woods within the bounds of his forests, and to see that the woods were not destroyed; for if they were, the forfeiture in that case would be levied on the owner of the woods, and not on any other person. The king’s foresters were all to swear, that they would observe this assize, and not plague any body for what the king allowed them out of his forests.”

It was this king’s continual attention to the administration of justice, and the quiet that his subjects enjoyed under him, which have occasioned so few acts of his government to be transmitted down to posterity by the writers of his time; who being all ecclesiasticks, seldom take notice of any transactions in quiet reigns, but what relate to church affairs. Foreign wars indeed, and domestick disturbances afford some exercise to their pens; but *Henry’s* inclinations to cultivate peace with all his neighbours, either cut off all occasions of the former, or rendered them of short continuance: and as for troubles within his own dominions, the wisdom and goodness of his administration, leaving his subjects no pretences of complaint, but what arose from the virtues of their prince, the tranquillity of his reign was interrupted with nothing of that nature, but what was owing either to the unmeasurable ambition, and turbulent spirit of *Becket*, or to the restless temper and unnatural conduct of his own sons; who were never to be satisfied, though no father ever laboured more for their advancement. *John*, the youngest² of these, was not yet provided for, in

¹ *Benedict.* p. 417, & seq.

² *Ib.* p. 435, 438.

HENRY II. the manner he desired: and being now of an age to receive knighthood, he conferred upon him that honour, on *April 1*, being *Midlent-Sunday*, at *Windſor*, and sent him to *Ireland*; proposing to make him king of that country; and to have him crowned in form; for which, as the coronation of princes, was in those days deemed, not so much a civil act, as an ecclesiastical rite, he soon after got a privilege from Pope *Urban III*, who sent over cardinal *Oſtavian*, as legate for *Ireland*, to perform the ceremony; which the king however at that time declined. *Henry* had hitherto left the affairs of that realm chiefly to the management of private adventurers, whom he thought capable of reducing the unarmed *Irish*, and their little potentates, disunited as they were among themselves; hoping to reap afterwards the fruit of their conquests. But they had not made such a progress in the work as he expected, and acted in such a manner, that it looked as if they affected an independency: and he flattered himself, that the sending of his son over, would be a means, as well of bringing them to a more regular form of government, as of hastening the reduction of the country.

THE *Irish* were a rude, false, faithless, and inconstant people¹; lazy, and given to rapine; hardy and daring; but ill-armed and undisciplined; vain-glorious, and easy to be flattered with good usage, and hopes of advantages. They were only to be governed by a strict and steady hand; nor were they to be either subdued or kept quiet, but by the prosecution of a war with vigour, by the punishment of their treacheries with severity, and by letting them, in times of peace, enjoy their properties with security. Had the first adventurers not been discouraged in their enterprises, whilst the *Irish* were struck with terror, and neither knew any thing of the art of war, nor had any armour for their defence, they would soon have effected a conquest of the country: or had not the king been called thence by the conspiracy and rebellion of his sons, he would have established peace in it by the form of government, which he would have settled so, that the *Irish* should have relished the blessings of quiet and good order, and all sorts of men have found a benefit from his regulations. But these two methods being blended together, clashing with one another, taking place by turns, and neither of them pursued steadily, nothing was done; the civil governors hating the military men, repressing their efforts, turning them out of their acquisitions, disputing their grants, and plaguing them with lawsuits, and the warlike adventurers sitting still; their ardour for conquest being repressed, and their attempts discouraged by this treatment. *Henry* had, in *A. D. 1176*, sent over² *William Fitz Adelm*, as lord justice, to take care that the *Irish* were not ill-treated, and that the adventurers did not grow too powerful: but this governor took care only to curtail the possessions of the latter, and to enrich himself; nor was there, in his time, any enterprize undertaken against the *Irish*, besides the short expedition of *Miles Cogan*, with the garrison of *Dublin*, into *Connaght*; from whence, after having advanced as far as *Tuam*, he was forced to return in haste, and being attacked in a wood before he reached the *Shannon*, lost several of his men in this action or retreat. *Philip de Braouse* had the kingdom of *Limeric* granted him: but did not think it worth the conquering. *Robert Fitz Stephens* and *Miles Cogan*, who had a like grant of the kingdom of *Corke*, divided it between themselves; planted the seven cantreds lying next the city; and coming to an agreement with *Dermot Maccarty* prince of *Desmond*, contented themselves with a tribute from the other twenty-four cantreds. Thus they lived for some years in quiet, till *Ralf*, the son of *Robert*, and *Miles Cogan* being treacherously, and in violation of the rights of hospitality, murdered by *Mac Tyre*, who had invited them to his house, *Dermot* took up arms, and invested *Corke*; which was bravely defended by *Robert*,

¹ *Hibern. expugn.* l. ii. c. 36, 37.² *Ib.* c. 15.³ *Ib.* c. 18.

and the siege at last raised by his nephew *Raimond*. The reinforcement brought by this gallant gentleman, and the further supplies that came soon after over from *Wales* under *Philip Barry*, and *Richard*, brother to *Miles Cogan*, enabled *Robert* to defeat the *Irish* in several encounters, and reduce them again to obedience: but did not animate him to attempt further conquests.

*HUGH DE LACY*¹ seems to have understood, the best of all the adventurers, how to subdue and settle a country. He was a man of great temper, probity, and prudence, as well as valour; he planted colonies throughout his large country of *Meath*; fortified it with castles in the most convenient situations; protected every body in their property; restored such as had been turned out of their possessions by violence; and being mild, equal, and steady in his conduct, soon established good order in his territories; where a face of plenty appeared unknown in other parts of the realm, and the people tasting the sweets of peace and security, began to be weaned from their barbarous customs, and to live together in towns and villages. Upon *Fitz Aldelm's* being recalled, he was, in *A. D.* 1179², made sole guardian of the kingdom; and then took the same care to strengthen *Leinster*, as he had done *Meath*, with castles; encouraging the arts of peace; gaining the *Irish*, as well as the great men, by acts of generosity, the affability of his behaviour, and the justice of his administration; and growing, by these means, so very popular, that he became suspected of aiming at the dominion and scepter of the nation. This suspicion seeming to be confirmed by his contracting an alliance with the *Irish*, and marrying the daughter of *Roderic O Connor* king of *Conaght*, *Henry* was so alarmed by it, that in the year following, he sent over *John*, constable of *Chester*, and *Richard de Pec* to take upon them the government, and to have a watchful eye on *Hugh's* proceedings. It soon appeared that he had no views, but the publick good, and the king's service: and the two justices returning at the latter end of the year into *England*, *Hugh*³ was again, in *A. D.* 1181, put into the government; but had *Robert de Shrewsbury* joined with him in the commission, as counsellor or coadjutor. He pursued, in this readeption of the government, the same plan, that he had observed in his former; erecting castles in different parts of *Leinster*, for the security of the country; which enjoyed a perfect tranquillity, all the three years that he continued in it; no alteration happening till the year 1184, when *John Comyn*⁴, one of the king's justiciaries, lately made archbishop of *Dublin*, and *Philip de Worcester*, came over to prepare matters for *Prince John's* reception, and entering upon the exercise of the government.

In all this time, there was no new conquest made, nor indeed attempted, except in *Ulster* by *John de Courcy*; a nobleman of great stature, strength of body, and fortitude; very enterprising and daring; but though bred up in war from his early years, rather fitter for a soldier, than a general. *Henry* had granted him a patent, for enjoying to him and his heirs, all the lands he could conquer by his sword in⁵ the unsubdued part of *Ireland*; homage and fealty to the crown still reserved: and had likewise joined him with *Fitz Aldelm* in the government. *John* did not like the inactivity of his colleague: and in the beginning of *A. D.* 1177, taking with him from *Dublin* twenty-two knights with their followers, and three hundred others, he marched into the province of *Ulster*, trusting to his sword to find him provisions. On *February* 1, the fourth day of his march, he arrived in the morning at *Drogheda*, the best town in the country, and the place of king *Dunlough's* residence, who fled upon his approach: and taking it without any resistance, found in it plenty of victuals to refresh his half-starved soldiers, and a great booty to gratify their avarice. The legate *Vivian* was then holding a council in the town; and

¹ *Hibern. expugn.* l. ii. c. 10.² *Ib.* c. 21.³ *Ib.* c. 22.⁴ *Ib.* c. 23, 24.⁵ *Ib.* c. 16.

HENRY II. treated with *John* for a peace between him and *Dunleve*, proposing the payment of a tribute, if the former would return home¹: but not succeeding in his negotiation, encouraged the latter to try the fortune of a battle. *Dunleve*, with the assistance of king *Roderic*, and other *Irish* chieftains, raising in a few days an army of ten thousand men, advanced to *Downe*: and *Courcy*, not caring to be shut up in a slight fortification, which he had thrown up in a corner of the town, where he could ill-defend himself, and must at last perish by famine, drew out his small, but resolute, body of forces into the open field, and marched to meet the enemy. The battle was sharp and bloody, and the victory, for some time, uncertain: but the *Irish* at last, yielding to the valour and superior arms of the *English*, were defeated; and flying along the owzy shore of the sea, were slain in great numbers. *John* had, on the *Midsummer* day following, another engagement in the same place with fifteen thousand *Irish*: and gained so compleat a victory, that the enemy did not care to meet him any more in the field, and he had time to erect castles for the security of his conquests. Two of these, particularly that of *Ferney*, in the county of *Monaghan*, being put into the custody of *Mac Mahon*, the chieftain of a sept; who had submitted and sworn to be a faithful subject, he levelled them with the ground; and thereby incensed *Courcy* so highly, that he pillaged the other's country, and drove away his cattle. These being too numerous to be driven in one body, *John* was forced to divide them, as well as his men, into three, taking up as many miles in length: and being to pass through narrow, deep, and boggy roads, interlaced and covered with bushes, was attacked by the *Irish*; who, rushing suddenly out of the woods, set up such hideous shouts, as affrighted the cattle, and made them run so furiously upon their drivers, as soon put the *English* in disorder. In this circumstance, their whole body dispersed; being pursued on all sides by the *Irish*: and *Courcy* himself, retiring with *Amaury de S. Lawrence*, and a few other gallant men, was forced to fight almost every step of his way for two days together, without any refreshment, and very little intermission, till he got to a fort; where he could secure himself, and rendezvous his scattered forces, of which he had lost four hundred in this expedition. The *Irish*, elated with their success, and despising a beaten enemy, assembled all their forces: and advancing towards the fort, encamped at a small distance, like raw warriors, in a careless manner, without any watches, guards, or out parties, and, by this security, gave the *English* an advantage, which they did not fail to improve. *Courcy*, having intelligence of their posture and condition, fell upon the *Irish* in the night; caught them generally asleep, and killing them almost without resistance, destroyed so many of them, that scarce two hundred of their whole body escaped. He had afterwards two other engagements with them, one near *Dundalk*, the other at the bridge of *Ivory*; in both which he forced the enemy to a retreat: and marrying a daughter of *Gothbred* king of *Man*, and the isles, to prevent, by that alliance, their having any succour from thence, he at last compleated his conquest of *Ulster*.

SUCH was the situation of *Ireland*, when prince *John*, setting sail from *Milford Haven*. on *Wednesday* in *Easter* week, landed the next day, about noon², at *Waterford*, with three or four hundred knights, and a much greater number of other horsemen, and a strong body of archers. He was attended at his arrival by the most considerable *Irish* in those parts, who had hitherto lived peaceably and in obedience to the *English* government: but instead of a good reception, they were divided and despised by the young giddy *Normans*, that were about the prince, and his chief favourites, for the oddness of their dress, and their uncouth manners. There is no people in the world more impatient of contempt and derision than the *Irish*: and finding themselves taken by their long beards, abused shamefully in other

¹ *Naubrig*. l. iii. c. 8. ² *Ib.* c. 35, 36, 37.

respects, and made a laughing-stock by a parcel of young fellows, they got out of HENRY II. town in a fury; repaired to their homes; and taking their families and cattle along A. D. 1185. with them, retired into the territories of the kings of *Limeric*, *Corke*, and *Connaght*. Those princes were ready to come and make their submission to the young prince: but when they heard from these men, how they had been abused and insulted; what a stripling *John* was; what a set of young fellows, without judgment, prudence, gravity, modesty, or decorum, he had about him; they easily concluded, that when friends were so ill treated, they who had been enemies should meet with worse usage; and laid aside all thoughts of subjection to the *English* government.

THEY had been before at variance with one another, but now made a league together for their common defence: and those that had taken refuge in their lands, served them for spies to procure intelligence, and for guides to conduct them in their incursions into the *English* quarters. All the armes used by the *Irish*, before the *English* invasion, were a short lance, a couple of darts, and a sharp hatchet, used with one hand: and they had no manner of armour for their defence. They understood nothing of horse service; dreaded infinitely the lances of the knights, and the arrows of the foot, wounding at a distance; and in pitched battles lay in these respects under disadvantages, which all their superiority in numbers could not balance: but being improved by experience, they began to correct their defects; to arm themselves after the *English* fashion; to employ their natural cunning and genius for stratagems and surprizes; to avoid engagements in the open field; and to keep to their woods; where foot have the advantage of horse, where agility is of more use than armour, and where the lightest armes are the fittest for service. Sallying out of those covers, which the *English* had neglected to cut down, they frequently, as opportunities offered, surprized small parties: and infesting the roads, which had not been opened and levelled as they ought, rendered them in a manner unpassable; whilst the forces newly come over, being unused to woods, cumbered with armes, too heavy for a quick motion, and improper for such a scene of action, were ill qualified to ferret them out of those fastnesses. The first adventurers, indeed, with their *Welsh* followers, an hardy, active race of men, bred up in woods, bogs, and mountains, inured to fatigues, equally adroit in fighting on foot, or on horseback, in woods or in the open field, were very proper for the work: but they were in no measure of favour with the young prince; and being slighted, remained unactive. The young *Normans*, his favourites, directed all his measures, and did not care either to stir from about his person, or to quit the maritime towns, where there was luxurious living: they were proud, insolent, rapacious, and their stipendiary followers very eager for pay, but full as averse to the hardships of war; and though they were fond of plunder, they liked rather to find it among the subdued *Irish*, than to seek it with fatigues and dangers on the marches, and in the enemies quarters. The young prince was unexperienced, unthinking, and profuse; he soon squandered away the money he brought with him to pay the soldiers: and lost a great part of them in little skirmishes with the *Irish*; who, grown bolder by their success, reduced the rest to great difficulties for subsistence. The king, upon advice of these proceedings, found it necessary to recal his son with the young people that knew nothing of the state of the nation, and to leave the management of affairs to those experienced men, who had been concerned in the conquest. Thus *John*, quitting *Ireland* a little before *Christmas*, left the government in the hands of *John de Courcy*; who keeping his forces in continual action, attacking the *Irish* in all parts, and scouring the countries of *Corke*, *Limeric*, and *Connaght*, soon forced the enemy to be quiet.

HENRY II.

A. D. 1185.

Henry sends
succour, but
declines going
to the Holy
Land.

XLVI. THE young prince, a little before he set out for *Ireland*, had thrown himself at his father's feet, and sued for leave to go at the head of a body of forces for the relief of the *Holy Land*; which was at that time in imminent danger of being entirely reduced by *Saladine*¹. *Baldwin IV* was on the throne of *Jerusalem*, but was, by an incurable leprosy, which wasted him continually, disabled from acting, as he would otherwise have done, for the defence of the country. He had no children, and had married his sister *Sibylle* to *William*, son of the marquis of *Montferrat*: but that prince dying, and leaving a son, as yet an infant, named *Baldwin*, this young prince had been, by his uncle, declared his successor in the throne, and crowned in that capacity. It was still necessary to provide some person, qualified by his courage, resolution, prudence, and military skill, to make head against the superior forces of *Saladine*, and to manage the affairs of the government during young *Baldwin's* minority. With this view *Sibylle* had been remarried to *Guy de Lusignan*; who being concerned in the death of *Patrick* earl of *Salisbury*, in *A. D.* 1168, had from that time quitted *Poitou*, and retired to the *Holy Land*: but *Guy* being found unequal to the charge, and *Raimond* count of *Tripoli* pretending to it, there was great danger of a civil war between the two competitors, and no way seemed so likely to prevent an evil which would ruine all the affairs of the *Christians* in the East, as to engage some *European* prince of great reputation to come thither with an army of his subjects for their succour. The king of *England* was nearly related to *Baldwin*, and seemed, by his known prudence and experience, the most capable of any to reconcile the contending parties: it was accordingly upon him that *Baldwin* and his council cast their eyes; and sent *Heraclius*, patriarch of *Jerusalem*, with the great masters of the hospitallers and templars, to sollicite him to undertake the expedition. The last of these died in the journey: but the two former came in *February* to *England*, with the letters of Pope *Lucius*, pressing the king to embark in the enterprize.

HENRY was making a progress in the north of his kingdom, when these ambassadors arrived: but stopping short in it, returned immediately to *Reading*; where he gave them audience, and received from the patriarch the keys of the holy sepulchre², and the royal banner of *Jerusalem*, but delivered them back to him to keep, till he had consulted the prelates and nobility of his kingdom. He accordingly summoned them to meet, on the first *Sunday* in *Lent*, at *Clerkenwell* in *London*, in a great council; at which those of *Scotland*, with king *William* at their head, likewise assisted: and the matter being there considered, it was the³ general opinion, that the king's accepting the crown of *Jerusalem*, and going on an expedition thither, was inconsistent with the safety of his own kingdom. *Henry* offered to the patriarch to send a supply of money; but this was not so proper a relief in the present circumstances of the *Holy Land*, as a prince of the house of *Anjou*: and since the king could not go in person, the ambassadors desired at least one of his sons; upon which *John* offered his service, and begged earnestly for leave to go to *Jerusalem*. This was inconsistent with the *Irish* scheme, nor would *Henry's* fondness for his son permit him to engage in so remote and hazardous an expedition, from whence few returned: he chose rather to defer taking any resolution, till he had consulted the king of *France*, from whom he had most to apprehend, whilst absent from his dominions. Many of his knights and barons received the cross immediately from the patriarch⁴: and the king set out with him, on *April* 17, the *Tuesday* in *Pentecost* week, for *Normandie*. He had soon after a conference with the king of *France*.

¹ *Benedict.* 425, & seq. *Hoveden.*
Benedict. p. 436, 437.

² *Ib.* *Hoveden.*

³ *Hibern. expugn.* l. ii. c. 26.

Vaudreuil, and the two kings promised in concert to send large supplies of men and money: but, to the patriarch's mortification, neither of them would go in person. HENRY II.
A. D. 1185.

PHILIP might perhaps have gone on an expedition to the *Holy Land* without any inconvenience to his affairs; he had nothing to dread from *Henry's* justice and peaceable inclinations: but this last had every thing to fear from the grasping humour, and ambitious views, of the other; who having, at his entrance upon the government of *France*, formed a scheme for reuniting to the monarchy all the provinces and fiefs, that had, in the course of several ages, been dismembered from it, stuck at nothing to effect his purpose. *Henry* had still stronger reasons against such an expedition, on account of the circumstances of his own family, and the dissensions of his sons; who, when no longer controlled by his presence, would soon have made all his dominions a miserable scene of blood, confusion, and desolation¹. *Richard* had, in the beginning of this year, left *England* with his father's leave, and returned to *Guienne*: but was no sooner got thither, than forgetting the oaths he had lately taken of allegiance to the king, and for maintaining amity with his brother, he fortified his castles, and invaded *Geffrey's* territories of *Bretagne*. *Henry* arriving in *Normandie*, was obliged to raise an army to reduce him to obedience: but desirous to avoid bloodshed, had recourse to an expedient for preventing it, which succeeded. Queen *Eleanor* had been the chief author² of the first rebellion of his sons, and to keep her from the like practices for the future, had been kept from that time under confinement; till her daughter, the dutchess of *Saxony*, coming into *England*, she had been set at liberty, and a court was kept for them both at *Windfor*. The king now sent for her over, and ordered *Richard*, without any delay, to surrender all *Guienne* to her, as her undoubted right; otherwise she should come in person, with a great army, to recover her inheritance. *Richard*, with all his haughty spirit, had yet a strong principle of justice, and a great affection for his mother: and the people of *Guienne* had a profound respect for the heirs of their ancient race of princes. These motives inclining him to hearken to the advice of his friends on this occasion, he delivered up *Guienne* with all the fortresses in it to his mother: and laying down his arms, submitted, and made his father's court the place of his abode.

XLVII. RICHARD'S behaviour, whilst he continued there, was so modest and dutiful, that his father thought he might venture to trust him again with *Guienne*³: and *Raimond* count of *Toulouse* having, on some pretence or other, imprisoned several merchants of that country, the king gave his son a vast sum of money, to enable him to procure satisfaction for the injury. *Richard* repairing immediately into *Guienne*, raised an army, and wasted the count's territories; who applied in vain to the count of *France* for assistance. *Philip* either did not think it a favourable time for attacking *Henry*, or his hands were tied up by the treaty he had lately made with him in a conference held a little before *Lent*, near *Gisors*: in which the former convention about *Margaret's* annuity, in lieu of her jointure, had been confirmed, and it was provided, that *Richard* should marry *Philip's* sister *Adelais*. This last prince renounced, on his part, all the claim which he or his father *Louis* had to *Gisors*, and its dependencies: and engaged never to dispute any more with the king of *England*, or *Richard*, or their heirs, upon that subject. Thus was peace made: but *Margaret* being⁴ soon after married to *Bela* king of *Hungary*, her removal into so distant a country gave occasion to a new dispute about the payment of her jointure, and *Philip* revived his former pretensions. *Henry*, however, leaving every

A. D. 1186.

Treaty with
France, and
alliance with
Scotland.

¹ *Benedict*. p. 432, 436. *Hoveden*.
447. ⁴ *Chron. Cervaſi*. col. 1478.

² *Ib.* 406, 413.

³ *Hoveden*. *Benedict*. p. 444, 445.

HENRY II. thing secure abroad, seized the opportunity of this interval of hostilities to pass over into *England*; landing, on *April 27*, at *Southampton*.
A. D. 1186.

THE affairs, that called him thither, were the filling up of eight vacant fees, and the establishing of a firm friendship with *William* king of *Scotland*¹; both which he effected to his mind in three great councils held, the one at *Oxford*, soon after his arrival, the second at *Wodestoke*, in the beginning of *September*, and the last on the fourteenth of the same month, at *Marlborough*. It was with this view, that², upon the death of *Simon de Senlis*, the third of the name, without issue, he had the year before given the earldom of *Huntingdon* to that king (who immediately conveyed it to his brother *David*) and now, in the first of these councils, proposed to him, that since *William* could not marry the daughter of the dukes of *Saxony*, by reason of their consanguinity, he would give him one of his relations, *Ermengarde*, daughter of *Richard*, son of *Roscelin*, viscount of *Beaumont le Roger*, by *Constance*, natural daughter of *Henry I*, his own grandfather. *William*, by the advice of his council, agreed to the proposal: and whilst the young lady was sent for, returned with his earls and barons into *Scotland*; having first renewed their oaths of fealty, given hostages, and undertaken to reduce *Roland*, son of *Uchtred*; who, upon the death of his uncle *Gilbert*, son of *Fergus*, had got possession of all *Galloway*³. *Gilbert* had died the year before, on *New-Year's day*: and *Duncan*, his son and heir, being then an hostage in the court of *England*, under the king's protection, *Roland* had made use of the opportunity afforded by his absence, to invade the country, and make himself master of it, by the slaughter of all the barons, that offered to resist. He now stood on his defence, till *Henry* himself advanced at the head of a numerous army to *Carlisle*; when he thought fit to come thither, and made his submission, upon the condition of being suffered to enjoy his father's estate, and of standing to the judgment of the king's court with regard to his uncle *Gilbert's*, claimed by *Duncan*. The king of *Scotland*, with his brother *David*, and the *Scotch* nobility, obliged themselves by oath, to make war on *Roland*, if he receded from the fealty he swore on this occasion to *Henry*: and *Josceline* bishop of *Glasgow* engaged to put him under an excommunication, till he made satisfaction to the king of *England*. *William's* marriage with *Ermengarde* was solemnized on *September 5*, at *Wodestoke*: and *Henry* gave up to him the castle of *Edinburgh*, with an hundred marks rent, and forty knights fees, by way of a portion with the lady.

Prince *Geffrey's* death occasions a dispute with *France*.

XLVIII. THIS alliance was a very seasonable provision for the quiet of *England*, *Henry* having, about a fortnight before the marriage, lost his son *Geffrey* duke of *Bretagne*, whose decease had like to have proved the occasion of new troubles. This young prince was naturally⁴ eloquent and crafty; had considerable talents, and a persuasive tongue, but very bad sentiments: he was a great master in the art of dissimulation; and under the smoothest words, and most solemn professions, knew how to cover the worst designs, which his malevolence and ingratitude to his father could suggest. He was very fond of all⁵ military exercises: and this fondness served for a pretext, to colour his going to the court of *France*, where tournaments were most in fashion, and continually used; though his real design was to enter into a closer union with *Philip*. He had desired his father to give him the county of *Anjou*⁶: but his elder brother *Richard* not consenting to it, he had met with a denial. This firing his resentment, he resolved to be revenged of both, by the means of the king of *France*; with whom he agreed to hold *Bretagne* of him in vassalage, to throw off all subjection to his own father, and to invade *Normandie*. Pro-

¹ *Benedict.* p. 446, 452, 453.

448, 449, 450.

⁶ *Neubrig.* *Ib.*

² *Ib.* p. 435, 448.

⁴ *Topogr. Hibern. Dist.* iii. c. 50.

Neubrig. l. iii. c. 7.

³ *Benedict.* p. 437, 438.

⁵ *Benedict.* p. 451.

vidence cut him off in the midst of these treacherous designs; he being unhorsed in one of those tournaments, and (as the pride and obstinacy of his heart would not allow him to yield himself to the victors) trodden under foot, and bruised in such a manner, that he fell ill, and was carried off in a few days by a fever¹. This child of perdition (as *Hoveden* says he was generally called, on account of his perfidiousness to his father) died on *August* 19: and was buried in the choir of *Notre Dame*, at *Paris*; leaving behind him only one daughter, named *Eleanor*.

HENRY II.
A. D. 1186.

THE superiority of *Bretagne* had been granted, together with *Normandie*, by *Charles the Simple*, to *Rollo*, and had been enjoyed by his descendants: it had been strenuously asserted by *William the Conqueror*, and from his time homage had been frequently done by the counts or dukes of that province to the kings of *England*, in right of their duchy of *Normandie*. *Philip* pursuing constantly his great scheme for reuniting to the *Domaine* all the fiefs that had been granted away by his predecessors, claimed as lord paramount, the custody of the whole province, with the wardship of the heiress, till she came to be of age to be married: and enforced his demand with threats, in case of a refusal². *Henry*, to prevent the effect of those menaces, sent *Ralf de Glanville*, *Walter de Coutances* archbishop of *Rouen*, and *William de Mandeville* earl of *Essex* and *Albemarle*, his ambassadors to the court of *France*: who succeeded first in making a truce till *S. Hilary*, and afterwards in prolonging it to *Easter*. What rendered a peace the more difficult, was an encounter that had lately happened near *Gisors*, between *Henry de Veir*, governor of the place, and *Ralf de Vaus*, a *French* knight; who being killed in it, *Philip* had resented his death so highly, as to seize the effects of all *Henry's* subjects in *France*; which produced a like seizure of the chattels of the *French* in *Normandie* and *Guienne*: but on the truce, both sides made restitution. *Guyomar de Leon*³, and his brother *Hervé*, encouraged by *Geffrey's* death, raised likewise some disturbances in *Bretagne*: but the dutchess *Constance*⁴ being, on *March* 29, *Easter day*, in the year following, delivered, at *Nantes*, of a son named *Arthur*, the *Bretons* in general were so pleased with this event, that the province was soon pacified.

THE death of *Geffrey* diverted *Henry* from sending his son *John* again into *Ireland*; being less concerned to make an entire conquest of that realm, than to prevent a war with *Philip*. Cardinal *Ostavian* and *Hugh Nonant* had come over in *Christmas* holidays⁵, being sent by the *Pope* as his legates, *a latere*, to hear and determine all causes (if there were any) in which appeals had been made to him: a commission, which, if suffered to be executed, could not but be much to the disgrace and detriment of the kingdom. *Baldwin* archbishop of *Canterbury*, who had already got himself invested with the character of legate, looked upon their coming as an affront; and joined with his suffragans against their stay; suggesting to the king, that as he was obliged to go abroad, in order to make a peace with *France*, he might take them along with him, to act as mediators in the treaty. They landed with him, on *Tuesday*, *February* 17, at *Witsand*; where they were met by the counts of *Flanders*, *Blois*, and *Guifnes*, and convoyed by them to *Aumale* in *Normandie*. The two kings had afterwards a conference, on *April* 5, at *Gué S. Remi*: but after a long debate, the treaty came to nothing, by reason of *Philip's* unreasonable demands. Both princes prepared for war; *Henry*, by levying about *Whitsontide* a mighty army, which he divided into four parts, under his sons *Richard* and *John*, the earl of *Albemarle*, and his natural son *Geffrey*, to defend different quarters of his dominions; *Philip*, by more clandestine measures, endeavouring to debauch the other's vassals. Thus he gained over *Urse de Fretteval*, and the count of *Nevers*,

A. D. 1187.

¹ *Diceto*, col. 630. *M. Paris*. ² *Benedict*, p. 455, 457. ³ *Ib.* 460, 463. ⁴ *Chron. Gervaf.* col. 1480. *Diceto*, col. 635. *Aug. du Paz, Hist. des Barons de Chateau Brient.* p. 8. ⁵ *Benedict*, p. 464.

HENRY II. to whom *Henry* had lately given in marriage ¹ the relict of *Eudes de Yffoudun*, with
 A. D. 1187. the wardship of the heir; a kindness, which the other returned by treacherously
 delivering up the place, and revolting openly to *Philip*. This tempted the king of
France to invade *Berry*, and lay siege to *Chateauroux*; which was defended by the
 two sons of the king of *England*, who marched to their relief, resolved to venture
 an engagement. The two armies came in sight of each other on *Midsummer eve*,
 and were drawn up in order to engage; when upon the legate's denouncing ana-
 themas, in the Pope's name², against whoever should oppose a peace, and by the
 mediation of the prelates and nobility of both realms, a truce for two years was
 concluded: *Henry* agreed to it the easier, because he suspected treachery; *Richard*
 having, without his knowledge, had a private conference with *Philip*. This leav-
 ing all things in their present state, the king of *France* retained *Yffoudun*, and the
 service of *Urse de Fretteval*, till the end of that term; during which there was to be
 a cessation of hostilities.

THIS treaty proved very fatal to the king of *England*, as it enabled *Philip* to
 debauch *Richard*; whom he invited to *Paris*, and kept there a long time, treating
 him with extraordinary honours, and the most endearing caresses. They were
 scarce ever asunder from each other, by day or night; they eat at one table; they
 lay in the same chamber, and often in the same bed: and appeared in every thing
 like sworn brothers. *Henry*³ was amazed at this sudden intimacy, and waited to
 see in what it would terminate: he suspected some ill design, and put off his return
 to *England*, on that account. It soon appeared, that his suspicions were justly
 founded; for after frequent messengers sent, in vain, to recal his son from the court
 of *France*, with assurances, that he would grant him every thing he could ask in
 reason, *Richard* promised to come to him: but instead of doing so, went to *Chinon*;
 seized *Henry's* treasures which were there kept; and passing into *Guienne*, fortified
 his castles, and absolutely refused coming to his father. This was not a very proper
 method to obtain what he most wanted; having taken it into his head, either at
Philip's suggestion, or out of the ambition of his own heart, that he ought to be
 crowned king; as his elder brother had been in the life time of his father. The
 king had suffered so much by that experiment, from a son, whom, at the time he
 made it, he had no reason from any part of his conduct to suspect, that he was not
 at all inclined to make another of the same kind without any necessity; especially in
 favour of one, who openly set him at defiance, and by entering into the strictest
 friendship, perhaps into hostile measures, with his mortal enemy, could not pretend
 to any share of his confidence. He sent however several messages to *Richard* by
 persons; who at last made him sensible of the ill consequences of his behaviour,
 and of the ill designs of those who laboured to sow discord between him and his
 father. The young prince came, and made his submission; doing homage to *Henry*
 at *Angers*, and taking a solemn oath, that he would never deviate more from his
 own duty, and the king's allegiance: but being naturally hasty and impetuous in his
 measures, he soon after received the cross⁴ from the archbishop of *Tours*, without
 the consent or knowledge of his father; being the first nobleman in all the provinces
 of *France*, that engaged in the *Croisade*.

A. D. 1188.

The kings of
England and
France, take
 the cross, and
 lay a tenth on
 their subjects
 for relief of
 the Holy Land.

XLIX. HENRY, after passing the *Christmas* at *Caen*, was got to *Barfleur* in order
 to embark for *England*; when he received notice of the king of *France's* threats,
 that he would destroy all his foreign territories with fire and sword⁵, if he did not
 immediately either restore *Gisors*, or cause his son *Richard* to marry *Adelais*. This
 message putting a stop to his journey, produced a conference in the usual place

¹ P. 468.
 1. iii. c. 23.

² *Chron. Gervasi.* col. 1500.
³ *Benedict.* p. 495, 532.

⁴ *Ib.* p. 470, 471.

⁵ *Diceto*, col. 636. *Neubrig.*

between *Gisors* and *Trie* under a prodigious elm; which shaded some thousands of ^{HENRY II.} persons, and covered several acres of land with its branches. It was held on ^{A. D. 1188.} *January* 21, by the two kings, attended by prince *Richard*, with the prelates and nobility of both kingdoms. Thither came likewise the archbishop of *Tyre*; who brought from the *Holy Land* a melancholy account of its being over-run, *Jerusalem* taken, and all the towns and fortresses of the *Christians* in the east (except *Antioch*, *Tyre*, and *Tripoli*) reduced by *Saladine*: and was sent to sollicite succours from the princes of *Europe*. The relation, which this prelate gave, of the disasters and miseries of the *Christians* in those parts, so affected all the audience, that the two kings, laying aside their ancient animosity, agreed to a truce: and turned all their thoughts to the relief of *Palestine*. They both received the cross from the hands of the archbishop, resolving to go thither in person; their example was followed by *Philip* count of *Flanders*, and an infinite number of prelates and nobles of both kingdoms. They were all to raise the greatest body of forces they possibly could for this expedition; each nation being to be distinguished ¹ by the colour of its badge; the *French* by red, the *English* by white, and the *Flemings* by green, crosses. A ² plenary indulgence was published in the Pope's name, for those that engaged in the *Croisade*, and made a sincere confession of their sins: and certain rules or ordinances were agreed on, for preventing luxury, libertinism, and other disorders; which had occasioned former enterprizes of the same nature to miscarry. To defray the charges of the war, it was resolved, that a tenth (called generally the *Saladine* tenth) of all rents and chattels, as well of the clergy as laity, should be raised in the territories of all these princes; who retired to their homes, to provide, with all possible dispatch, whatever was necessary for the expedition.

HENRY having given orders for raising this tenth in his foreign territories, sailed from *Dieppe* to *England*, landing, on *January* 30, at *Winchelsea*: and lost no time in summoning a general council of his prelates and nobility, on *February* 11³, at *Ge-dington*; where it was agreed to lay a tenth upon all the counties, cities, and burroughs in the kingdom. It was a tenth of all rents and moveables, except of corn growing this year, armes, horses, cloaths, vestments, and jewels: and being levied both upon the clergy and laity, on *Jews* ⁴, as well as *Christians*, was to be collected and paid by the *Candlemas* following. Every person, whether ecclesiastick or laick, that went on this expedition, was exempted from paying to the tax, and might levy a tenth on his own vassals or tenants: he had a privilege likewise granted him, of mortgaging his rents, whether ecclesiastical or secular, for three years; the mortgagee being to receive all the fruits thereof for that term, whatever became of other creditors ⁵. The king sent *Hugh* bishop of *Durham*, and some other noblemen to press *William* king of *Scotland* to raise a like tenth in his realm; which he readily promised, and was very desirous to do, if he could get his vassals to consent. With this view he summoned a general convention of all his prelates, earls, and barons, and an infinite number of his vassals or free tenants: and proposed the matter to them in the presence of the *English* ambassadors. After a debate on the subject, the council rejected the proposal, and resolved to give no tenth; declaring further, "that they would never give it, even though the king of *England*, and their lord the "king of *Scotland* should swear, they would have it from them:" nor could either fair or rough words, the persuasions of *William*, or the remonstrances of the ambassadors, divert them from this resolution. We see in this relation a remarkable account, as well of the constituent members of a *Scotch* parliament, which was un-

¹ *Hoveden*. ² *Benedict*. p. 496, 497, & seq. *Naufrag.* l. iii. c. 23. ³ *Chr. Gervaf.* col. 1522.

⁴ *Gervase* (in *Chron.* col. 1529) says, that by this tenth, there were raised seventy thousand pounds

upon the king's *Christian* subjects, and sixty thousand pounds upon the *Jews*. ⁵ *Benedict*. p. 514, 515. *Hoveden*.

HENRY II. doubtedly formed upon the plan of that in *England*, as of their power in the grant of money, and the laying of taxes upon the subject.

Prince Richard, in concert with France, begins a war, and rebels.

L. IN the mean time, some disturbances¹ broke out in *Guienne*: where *Aymar* count of *Engoulesme*, *Geffrey de Rancone*, and *Geffrey de Lusignan* rose up in arms against prince *Richard*, and committed great depredation on his lands: but he attacked them so briskly, that they were soon reduced. This prince, to revenge some insults received from the count of *Toulouse*, made an incursion into his country: and took *Peter Seilun*, who had put his lord upon arresting the merchants of *Guienne*. The count, by way of reprisal, seized *Robert Poer* and *Ralf Fraser*, two *English* knights that were passing through his territories, in their return from a pilgrimage to *S. Iago de Compostella*: and would not set them at liberty till *Seilun* was released. *Richard* rejected the condition, deeming it a renouncing of the protection of *St. James*, and the privileges of a pilgrimage, to pay any ranfome for freeing the *English*: and it was on those accounts that the king of *France* ordered them to be released. The count however would not comply: and *Philip*, who would not come into those parts to make peace between them, returned to *France*, seeing them too much inflamed to come to any accommodation². But *Richard* taking *Moissac*, and seventeen castles in the neighbourhood of *Toulouse*, *Raimond* was soon obliged to apply again for succour to the king of *France*; who complaining of his invasion to *Henry*, received from him an answer, which ought to have given him some confusion, as it ascribed to him a disturbance, that interrupted the prosecution of the croisade. The king of *England*, sent him word that what his son had done about *Toulouse*³, was without his consent, and against his will; nor was it in his power to remedie it: and that *Richard* had sent him word by the archbishop of *Dublin*, that all his proceedings in that invasion were taken in concert with the king of *France*, and by his advice, because the count would not join in the late treaty for engaging in the croisade. *Philip* finding his clandestine measures discovered, and having it more at heart to add one town to the domaine of *France* than to recover all *Palestine* out of the hands of the infidels, thought fit at last to throw off the mask. He had sworn to suspend all differences, and forbear hostilities till the croisade was over; he had as a sworn brother in that enterprize, undertaken the protection of *Henry's* foreign dominions: but forgetting all obligations of honour and conscience⁴, he now fell with an army into *Berry*. He had been treating for some time with the barons of this province, and with those of *Auvergne*, to debauch them from their allegiance to the king of *England*: and they, gained by his promises, were ready to join him, and deliver up their castles for his service. It is an easy matter in such a case for a prince to make conquests, more for his advantage than glory: and *Philip*⁵ was received without any opposition into the important towns of *Chateauroux*, *Argentan*, and *Levroux*, and into all the other fortresses of the nobility of *Berry*; nothing being left to *Henry* but *Loches*, and the castles of his own demesne, in that province. The king of *France*, having made himself master of the greatest part of *Auvergne* in the same manner, fell into *Touraine*; where he took *Mont-Richard* and *Buzançais*: and *Bouchard* count of *Vendome* declaring for him, delivered up the place and territory adjoining. All the pretence which *Philip* had for these hostilities, was *Richard's* invasion of the county of *Toulouse*; a measure so convenient for the former's purposes, that (as the latter's quarrel with *Raimond* seems to have slept afterwards, without any farther prosecution) there seems very little reason to doubt of its being made

¹ *Ib. Benedict.* p. 500. & seq.

² *Diceto*, col. 639.

³ *Ib.* p. 508. *Hoveden.*

⁴ *Diceto*, col. 639.

⁵ *L.* iii. c. 25.

in concert with him, and of *Richard's* being an accessory to the general defection of the barons of *Berry* and *Auvergne*. HENRY II.
A. D. 1188.

THE king of *England* seems to have been all this time intent only upon providing for his expedition to the *Holy Land*; for which purpose he had got *Baldwin* archbishop of *Canterbury*, to preach up the croisade in *Wales*, and employed others to promote it in *England*.¹ He had sent also embassadors, as well to the emperor of *Germany*, to engage him in the same design, as to *Bela* king of *Hungary* and *Cursac Angeli* emperor of *Constantinople*, to provide supplies of victuals for his forces that were to pass through their territories. He was much surprized to hear of *Philip's* breach of the stipulations between them, without any provocation given on his part, and of the great progress he had made in *Berry* and *Auvergne*: and immediately dispatched archbishop *Baldwin*, with the bishops of *Lincoln* and *Chester* to the court of *France*, to know the meaning of these hostilities, and to demand restitution of the places taken. *Philip*, having little to say in excuse of his conduct, would not give audience to those embassadors: and *Henry*, seeing no prospect of a peace, was obliged to go over into *Normandie*²; landing on *July* 11, at *Barfleur*, and carrying with him a great army of *English*, besides several thousands of *Welsh* infantry. These forces he increased with new levies in *Normandie*³: but kept himself quiet for some days, till he had sent the archbishop of *Roüen*, with other embassadors, to the king of *France*, to demand restitution of all he had taken, and satisfaction for the damages he had done; and in failure thereof to renounce all fealty to him, and to declare that he should regard him for the future, as his mortal enemy. The bishop of *Beauvais* had in the mean time burnt the towns of *Blangy* and *Aumale*: and the embassadors returning with *Philip's* answer, that he was resolved to continue the war till he had reduced all *Berry* and the *Vexin Normand*, *Henry* entered the territories of *France*, burnt *S. Clair sur Epte* and other towns; and on *Tuesday August* 30, advanced to *Mante*, where the king of *France* was said to be with his army. That prince's forces were much weakened by the departure of many of the *noblesse*, who had retired to their seats to take care of the vintage: only a small skirmish happened near the place, in which *William des Barres*, a *French* knight, was taken, but got off on breach of his parole. *Henry* seeing no likelihood of a battle, marched to *Ivry*; from whence various parts of his army, spreading themselves over the borders of *France* on that side, burnt *Danville*, *Dreux*, and other places. *Philip* seeing this havock made in his territories⁴, sued to *Henry* for peace, offering to restore all he had taken in *Berry*: and a conference was held for that purpose near *Gisors*, for three days together, without coming to an agreement. Whether the king of *France* was nettled at any thing that had passed in the debates on this occasion, or was vexed at the ill success of the treaty, he⁵ shewed his resentment in a manner too mean for a great prince, by destroying the fine elme, that grew near *Gisors*, but in the *French* territories, so celebrated by *W. Brito* in his *Phyllipiade*⁶; under which their conference had been held; because his adversary took delight in it, and that it might be no more the scene of treaties.

THERE is a circumstance subsequent to this conference, which looks as if the ill success of it was owing to some unreasonable demands on the part of *Philip*; the counts of *Flanders* and *Blois*, with several other counts and barons of *France*, immediately laying down their armes, and declaring they would never use them more against *Christians*, till they were returned from their expedition to *Jerusalem*. The king of *France*, thus deserted by his vassals, desired another conference; probably with no other view, than to remove their scruples, by seeming to have peaceable

¹ *Diceto*, col. 637, 638.² *Benedict*, p. 508.³ *Ib.* p. 516. *Howden*.⁴ *Ib.* p. 517.⁵ *Diceto*, col. 639.⁶ *L.* iii.⁷ *Benedict*, p. 519. *Howden*.

HENRY II. inclinations: it was held on Oct. 7. and ended like the former. For after every thing in appearance was settled by *Philip's* consenting to restore to the king of *England*, all that had been taken since the late truce, and *Richard's* agreeing to make a like restitution to the count of *Toulouse*; the king of *France*, demanded the castle of *Pacey* as a pledge for *Henry's* keeping the articles; when he who had broke his own faith so scandalously, ought with much more reason to have given, than asked, such a security. The king of *England* rejecting this condition, the conference broke up: and *Neulon* son of *Urse de Fretteval*, returned into *Henry's* obedience; giving his own son, with some of his relations, as hostages for assurance of his fidelity. The negotiations for peace however werest ill carried on by messengers between the two kings, with such a prospect of success, that the king of *England* sent back his *Welsh* troops, and all his hired foldiers: and a conference was agreed on, to be held near *Bon-moulins* on Nov. 8, for adjusting all the articles.

¹THE king had in the late treaty some reason to suspect a collusion between his son *Richard* and *Philip*: he now found his suspicions fully verified, by the latter's manner of treating, and by the open declarations of the former. The king of *France* offered indeed to give up all that had been taken, but clogged this offer with two extraordinary conditions: one was, that his sister *Alice* should be married to *Richard*; the other, that all the king's subjects, as well in *England* as in all his foreign dominions, should take an oath of allegiance to *Richard*. The first of these proposals might be made by *Philip* with some decency, if he would at the same time have given up *Bourges*, and performed the other conditions of the contract for the marriage of the two parties: yet nothing of that kind was offered. But the last was certainly very improper to be made by an enemy: and seemed the effect of a conspiracy between *Philip* and *Richard*, to strip *Henry* of his crown, if he had complied with the motion. The king had suffered too much from the crowning of his eldest son, and allowing his nobility to swear fealty to him, not to see the mischiefs which such a step would produce in the case of *Richard*; especially, when it was forced upon him in such a manner, that the young prince would consider himself as obliged for it, not so much to him as to his enemy, of whose influence on his son, the father had already too much reason to complain. Thus he made no difficulty, in rejecting this last condition: and *Richard*, hot in his temper and hasty in his measures, threw himself immediately at the king of *France's* feet; swore fealty to him; and did homage for *Normandie* and all the provinces held of the ²crown of *France*; the investiture whereof *Philip* gave him, and promised to restore him *Chateauroux*, *Yffoudun*, and all that he had taken in *Berry*; though he did not make good his word, at least as to *Chateauroux*. Thus was the mystery of iniquity (as *Neubrigenfis* calls it) which had been working for some time, at last made publick.

THIS step seems to have been taken after the two kings had agreed upon a truce, till *Hilary* ³; for whilst *Henry* was in an astonishment at *Richard's* action, and musing on the meaning of such a conspiracy, *Philip* went off, accompanied by that young prince, to the amazement of all present: and the king finding himself left alone, retired to take proper measures for preventing their designs; making haste himself into *Guienne*, and sending *Geffrey* his chancellor to take care of *Anjou*, and secure the fortresses of that country against the attempts of *Richard* as well as *Philip*. ⁴The conference lasted three days, and seems to have lasted so long by *Henry's* proposing, that instead of protracting a troublesome dispute, by restoring what had been seized since their taking the cross, and leaving matters in the state they were in before,

¹ *Ibid.* Benedict. p. 520, 521. *Dicto*, col. 641. *Chron. Gervaf.* col. 1536.

³ *Chron. Gervaf.* col. 1537. ⁴ *Dicto*, col. 641. *Triveti Chron.*

² *Benedict.* p. 533.

they might rather, by the advice of their prelates and barons then assembled, make HENRY II. a peace that should be lasting. This was warmly opposed by *Richard*; who A. D. 1188. having taken *Cahors*, and reduced all the province of *Quercy*, declared absolutely, that he would not part with a whole county, and other parcels of his demesnes, with a revenue of above a thousand marks a year, for the fief of *Chateauroux* and the castles of *Yssoudun* and *Graçay*, which were only to be held of him and *France*, and were not his own demesnes. It was perhaps for this reason that the cardinal ¹ of *Albano*, sent by Pope *Clement III.* as his legate, to make peace between the two crowns, excommunicated *Richard* as the great obstacle to the peace, soon after this conference. *Clement* ² was uneasy at the delay of the expedition to the *Holy Land*, and imputing that delay to the king of *France's* measures, sent the cardinal of *Anagni* to succeed *Albano* (who died presently after his sentence against *Richard*) with orders to reconcile the two kings, if possible: and this new legate coming into *France*, in the beginning of the next year, prevailed with them both to promise, that they would refer all their disputes to his judgment, and that of the bishops of *Reims*, *Bourges*, *Roien*, and *Canterbury*.

THE last of these prelates ³ was sent by the king of *England* to reclaim his son: but *Richard's* head was so full of jealousies, which his *French* friends had initilled into him, that he had lost all sense of his filial duty; and would hearken to no overtures. *Henry* had ever shewn a great fondness for all his children: and the affection he now expressed to *John* (who alone of his sons, besides *Richard*, was still living, though he had done little for him) was made use of as an handle to suggest to *Richard*, that the father intended to disinherit him, and to leave the crown to his younger brother. There was not the least fact to support this suggestion, nor the least reason to imagine, that *Henry* ever entertained such a design: but his rejecting the artful and ensnaring proposal made him by the king of *France* at the last conference, for transferring the allegiance and homage of his subjects to *Richard*, served this last instead of a thousand proofs, and causing him to give credit to that malevolent suggestion, threw him headlong into the arms of *Philip*. When a notion hath once got possession of the imagination, the more groundless it is, the less capable is it of being removed by reason: and *Richard* was too full of his own merits, to lend an ear to those considerations; which would justify his father in that refusal, and rendered himself utterly unworthy of so great a confidence. He now made it his business to raise up all the enemies he could against his father ⁴: and as people are naturally disposed to worship the rising sun, he drew off many of the nobility of *Normandie*, *Anjou*, and *Guicenne* from his service, and reinforced the *French* army with the troops, that used to serve under him in the last of those provinces. *Ralf de Fougères*, and the turbulent barons of *Bretagne*, who had ever been partizans of *France*, and embarked in every rebellion against *Henry*, now declared themselves for *Richard*: and several others, that had used to adhere to the *English* interest in that country, engaged in the party of the successor to a crown, of which they expected soon to see him in possession ⁵; his father being seized with an illness, which falling upon a constitution already broken, at a time when the mind was oppressed with an infinity of cares and vexation, put his life in imminent danger ⁶. These noblemen were so well united in their measures, that they made a formal agreement in writing with *Philip* and *Richard*; obliging themselves to acknowledge the latter for their lord, upon condition, that peace should not be made without providing for their security, and comprehending them in the treaty.

THE truce ⁷, expiring at *S. Hilary*, was followed by the insurrection of these conspirators, and by some incursions of *Richard* into his father's territories: but

¹ *Hoveden*, p. 649. ² *Benedict.* p. 534. ³ *Chron. Gervaf.* col. 1539. ⁴ *Neubr.* l. iii. c. 25. *Benedict.* p. 534. *M. Paris.* ⁵ *Chron. Gervaf.* col. 1539. ⁶ *Benedict.* p. 545. ⁷ *Ib.* p. 534. these

HENRY II. these were soon stopped by its being renewed at the instance of the mediators, till after *Easter*. Henry was in great hopes of a peace, through the good offices of the legate (who pressed it in the most earnest manner) till *Trinity Sunday*, June 5; when a conference being held at *La Ferté Bernard*, Philip, to his former demands of the marriage of *Adelais*, and the homage of all Henry's subject to Richard, added another, to which, however it might answer the purposes of *France*, he could not reasonably expect the king's consent; since it was to send both his sons on an expedition from which few returned, and to leave, in case of his mortality, all his dominions exposed to the attempts of his enemies. He insisted, that prince *John* should accompany his brother to the *Holy Land*: and Richard declared that he would not go thither without him; for fear that if his father, who was by his age and infirmities excused from the voyage, should die in his absence, his brother might make use of the opportunity to seize the crown, or at least to raise some disturbance in his dominions. This was what Richard should have considered, before he had taken upon him the cross, without so much as consulting a father, who would scarce have given his consent to that resolution; though when he found it taken, he was ready to supply every thing to enable him to execute it in the most honourable manner: and it would have been happy for him, if his son had performed his vow with as much expedition, as he had made it with rashness. It was certainly very unreasonable in Richard to expect, that, to correct his own blunders, his father should be forced to commit greater, should in a manner unking himself, divide and render precarious the obedience of his subjects, and lay a foundation, as well for disturbing the quiet of his reign during his life, as for exposing his dominions, after his decease, to the ambition of a foreign invader, or the rapaciousness of a turbulent nobility. It was well known, that he had four years before, whilst *Geoffrey* was living, and Richard was infected with no jealousy, refused to allow John to go on the expedition proposed: and Philip probably, to make all the advantage he could of the unthinking tool he had got into his hands, insisted upon it, with the view of preventing a peace; for the conference broke off upon Henry's refusal of this condition. The legate *Anagni*, who was present at the treaty, and used his best endeavours to bring it to effect, seems to have considered it in this light, when he threatened to lay an interdict upon all Philip's dominions; a threat which that prince slighted, but which put the furious Richard into such a passion, that he drew his sword, and would have run the legate through; if the prelates and nobility present, had not interposed to prevent an act, that would have shocked all the world as much as *Becket's* murder, and might have ruined all his and Philip's measures.

HENRY, notwithstanding the dependance he had on the Pope's mediation to procure a peace, seems to have been apprehensive, that his enemies, in their aversion to it, and resolution to make the most of the advantages of their present situation, would find some means to defeat the treaty: and had sent *Ralf de Glanville* to *England*, to fetch² over all his *English* knights, even such as were generally excused from foreign service, on account of their not being able to support the charges of the voyage. The defection of his transmarine subjects, some or other of which were continually dropping off, and revolting to Richard, rendered it necessary for him to have a body of troops, not yet infected with disloyalty, on whose fidelity he might depend in all exigencies; for scarce knowing whom to trust of those that were about him, he could not act with a vigour answerable to the necessity of his affairs: but his enemies did not allow him time to receive this succour. Philip and Richard, as soon as the conference was over³, retired to *Nogent de Rotrou*, where their army lay: and advancing with it, took *la Ferté Bernard*, *Montfort*, *Malesherbe*, *Beaumont*, and *Balon*; where they rested three days: and then making a saint,

¹ *Benedict.* p. 541, 542. *Al. Parin.*² *Libron. Gervasi.* col. 1544.³ *Benedict.* p. 542, 543, 544.

as if they intended to take the road of *Tours*, turned short, and marched to attack *Henry II. Le Mans*¹. *Henry* was in the place with seven hundred knights, and a small body of forces; when they appeared in sight of it on *Monday, June 12*, to his great surprise, and put his followers into such an hurry, that *Stephen de Tours*, seneschal of *Anjou*, setting the suburbs on fire, the flame spread over the walls, and caught the houses of the city. *Geffrey de Bruillon* endeavoured to break down a stone bridge over the *Sarte*, to stop the advance of the enemy: but before he could execute his design, was attacked, wounded, and taken prisoner; and his men flying in disorder, were pursued so close by the *French*, that they entered with them into the city². *Henry* seeing all lost, and no possibility of redressing the disorder, caused as much by the fire, as by the sudden attack of the enemy, retired with his troops towards *Frenelles*; leaving only thirty knights, with sixty of their attendants, in the tower of *Le Mans*: which being undermined and battered for three days, was then forced to surrender. The king having the next day dispatched *William Fitz Ralf*, seneschal of *Normandie*, and *William de Mandeville* earl of *Essex* and *Aumale*, to take care of *Normandie*; and ordered his chancellor *Geffrey* to march with the bulk of his army to *Alençon*, went himself with a small train towards *Angers*: and was soon after joined by *Geffrey*, with a party of knights, at *Savigny*.

IN the mean time *Philip*, and *Richard*, who had in vain pursued his father in his retreat from *le Mans*, found easy conquests wherever they marched: the lord of *Mont doubleau* joined them and delivered up his castle; those of *Trou*, *Roche l'Eveque*, *Montoire*, *Chateau-du-loir*, *Chaumont*, *Amboise* and *Robecorbon* submitted as readily; and on *Friday June 30*, they came in sight of *Tours*. It happened very luckily for them³, that the *Loire* was exceeding low, and they found a ford to pass their army to the other side of the river: and on the *Monday* following, early in the morning, some of their soldiers, without any orders, scaling the walls, entered the city without any opposition from the inhabitants; who either shut themselves up in their houses, or retired into the castle, which soon after surrendered. The count of *Flanders*⁴, the duke of *Burgundy*, and the archbishop of *Reims*, came thither to *Philip* from the conference at *Azay*, where they had settled articles of peace: and went from thence, the day before the city was taken, to *Saumur*, where the king of *England* was, to receive his approbation of the conditions. This prince was in no condition to refuse any that were offered: he saw his own forces much diminished by desertion, and no resistance made to the enemy in places that used to take up several weeks in reducing; he suspected treachery on all sides, and knew not where to place a confidence; and in this distress agreed to ratify the articles⁵. “ These obliged *Henry* to do homage again to *Philip*, because “ he had renounced his former in the beginning of the war, and to put *Adelais* into “ the hands of one of five persons to be named by *Richard*, in order to be married to “ him upon his return from *Palestine*. All *Henry's* vassals were to take an oath of “ fealty to *Richard* as his successor: and such of them as had revolted to this young “ prince, were to stay with him, and not return to the king of *England*, till the last “ month before he set out for *Jerusalem*; the time of which was fixed for the *Mid- “ lent* following, and the rendezvous at *Vezelay*. *Henry* was to be restored to all “ he possessed in *Berry*, before the war; but was to pay twenty thousand marks of “ silver to the king of *France*, for the charges he pretended to have been at in forti- “ fying *Chateauroux*⁶: and the latter was to keep in his hands the cities of *Le Mans* “ and *Tours*, the castle of *Trou*, and *Chateau-de-loir* (unless the former had a mind “ to exchange them for *Gisors*, *Pacey*, and *Nonancourt*) till all the articles were

¹ *Annal. Trivet.*² *Gir. Cambrenf. in Anglia Sacr. ii. 381.*³ *Gul. Brito Philippiade, l. iii.*⁴ *Diceto, col. 645. Benedikt. p. 544. Anglia Sacra, ii. 381.*⁵ *Benedikt. p. 545, 546.*⁶ *Diceto,**col. 644.*

HENRY II. "fulfilled." There was another article in favour of the burgesſes of the demefne towns of the king of *England*; providing that they ſhould be free in *France*; paying only their due customs, and not be impleaded, but in caſe of felony. It is alſo obſervable, that there is no mention in them of *John's* going to *Jeruſalem*: which looks as if it had been inſiſted on before, purely to break off the treaty; or that it was omitted now upon a preſumption, that the king was dying; the apprehenſion whereof, as *Neubrigenſis* ſays, haſtened the accommodation.

King *Henry's*
death, cha-
raſter, and
children.

LI. THESE articles, firſt agreed on at *Azay*, on *June 30*, were ſigned (according to *M. Paris*¹ and *Giraldus Cambrenſis*) on *Tueſday, July 4*, in a ſecond conference at the ſame place; whither the king was brought extremely ill, and was carried thence in a litter to *Chinon*. He had been infirm for ſome time, and it is univerſally agreed, that vexation added much to his illneſs; one occaſion whereof, as *Hoveden* ſays, was the ſeeing his favourite ſon *John's* name at the head of the liſt of thoſe, that had engaged to join *Philip* and *Richard*. But he ſtood in no need of that proof of *John's* want of affection and duty, ſince notwithstanding the very particular care he took of this ſon's intereſt, in the height of all his troubles, as he made his retreat² from *Le Mans*, *John*, in a day or two after, deſerted him, and revolted to his enemies, in a juncture, when he was not able to bear ſuch an additional weight of affliction. However this was, the king died of a fever³, and a diſentery, the ſeventh day after he had been firſt ſeized, and two days after the articles were ſigned, viz. on *Thuſday, July 6*, at *Chinon*: and his corſe, attended all the way by his natural ſon *Geffrey* on foot, was carried to the nunnery of *Fontevrault*. The next day, as it lay in the abbey church, his ſon *Richard* coming in, was not a little ſtruck with horror at the ſight of the corſe⁴; and the more ſo, becauſe, the moment he entered the church, the blood chanced to gush out of both his father's noſtrils in ſuch plenty, that the aſſiſtants were forced to wipe his mouth and face ſeveral times with a napkin. The funeral rites and ſervice were performed the day following; *Richard* aſſiſting at them with great decorum, and all the appearance of devotion, as well as *Geffrey*: who, as ſoon as the ceremony was over, delivered to him the great ſeal of his father; which he had kept in the king's life-time, as chancellor, and which, from the moment of his deceaſe, had been carefully ſealed up by the ſeals of the barons, then preſent⁶.

THUS died, and was buried, the greateſt, the wiſeſt, the amiableſt, and the beſt king that had ſat on the throne of *England*, ſince the Conqueſt; though the monkish writers, in their blind zeal for *Becket*, and inordinate paſſion for certain eccleſiaſtical liberties, adapted to aggrandize the papacy, have been very injurious to his memory; as much perhaps by omitting his regulations and acts in the courſe of his government, which certainly deſerved their notice; as by the bitterneſs of their invectives, for which they had little foundation, beſides their own prejudices and conjectures. He was the prince of the age, the moſt univerſally eſteemed in his life-time, and the moſt generally lamented at his death, by foreigners, as well as by his own ſubjects; who found every day that they paſſed under his ſucceſſors, ſtill more occaſion to regret his loſs, and dated the beginning of their ſorrows from his deceaſe. One of the moſt zealous partizans⁶ of *Becket* in the height of that quarrel, and of his own

¹ *Anglia Sacra*. ii. 381. ² *Ib. Neubrig.* l. iii. c. 25. *Benedict.* p. 548. ³ *Chron. Gervaf.* col. 1545. ⁴ *Ib. Benedict.* p. 545.

⁵ It ſeems reaſonable from this account, which *Giraldus Cambrenſis* ſeems to have had from *Geffrey* himſelf, whoſe life he wrote, to think, that there was no biſhop preſent at *Henry's* death; ſo that the relations of his curſing his ſons, and of

not retracting theſe curſes at his death, notwithstanding all the remonſtrances of the biſhops that attended him, ſeem to be mere monkish tales, and without any foundation. The ſame may be ſaid of ſome other circumſtances related of the conference of *Azay*.

⁶ *Epiſt. S. Tho.* l. i. *Epiſt.* 103.